

TRIBAL JUDICIAL LEADERSHIP IN HEALING TO WELLNESS COURTS



“Night and Day” by Judge Carrie Garrow

March 2024



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A product of the

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Dedication

For my parents, Cecil and Barb, who always see me.

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Chapter 1: Introduction - Why Judicial Leadership?

A judge's role is more than judicial decisions in the courtroom and written orders. Judges are leaders on and off the bench. They exercise leadership by ensuring parties are treated well and heard in the courtroom and making timely decisions. They exercise leadership off the bench by ensuring staff are well trained and treated respectfully and by guaranteeing that the administrative work behind the scenes occurs smoothly. They are also leaders in the community as they represent the judicial branch, educate the community about the judicial system, and interact with the community.

Leadership is critically important in Tribal Healing to Wellness Courts (THWCs). The judge leads the team. The THWC judge "must oversee coordinated communication, cooperation, and decision making among the court, treatment, child welfare services (social services), probation, and other agencies."¹ The National Drug Court Institute's core competencies of a drug court judge encompass many aspects of leadership: participating fully with the team, being an advocate, being knowledgeable about the issues, initiating and leading the team in planning the court, and educating about substance use issues and THWCs.² However, leadership is not easy. Many judges ask, what does judicial leadership look like and how do I exercise judicial leadership in the THWC context?

This publication strives to provide some guidance on these leadership questions. Leadership means many different things to different communities. Leadership is based on our values found in our customs and traditions. Leadership skills that are effective and appropriate in one Nation may not work well in another Nation. However, we can learn the process of how to learn about the values that define leadership in our different Nations and then think about and practice the skills we learned. The goal of this publication is to illustrate leadership skills or techniques, found in our traditional stories, which may be used in THWCs. And to encourage judicial leaders to discover their own leadership skills in their traditional stories and practice them.

Before we move onto further discussion about leadership, it is critical to understand that THWCs are nonadversarial and based on a Nation's customs and traditions. "Always be mindful that you are not presiding over an adversarial arena in Wellness Court. Notions of punishment, retribution, and detention are not entirely replaced, but are supplemented with aspirations for peacemaking, restoration, healing, and peace."³ Moreover, these aspirations are based on Indigenous notions of law and healing found in each Nation's customs and traditions. Thus, leadership practices must also be based upon Indigenous practices, otherwise they will

¹ Flies-Away, Joseph T., Carrie Garrow, and Pat Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 2nd ed. (West Hollywood: Tribal Law and Policy Institute, 2014), 58.

² Marlowe, Douglas B., and William G. Meyer eds., *The Drug Court Judicial Benchbook* (Alexandria: National Drug Court Institute, 2011), 47.

³ Flies-Away, Joseph T., *Tribal Health to Wellness Courts: The Judicial Bench Book* (West Hollywood: Tribal Law and Policy Institute, 2016), 10.

fail. Thus, throughout this publication, you will be encouraged to focus on the customs, traditions, and practices found in your Nation's stories.

Learning and practicing leadership skills is not always easy, but it is worth the journey. Moreover, we will never be perfect leaders. However, it is a journey where we are challenged to grow, hoping to improve each day. As you move through these sections, it is recommended not to tackle them all at once. Ponder each section. Think about your cultural teachings and stories or search them out if you are not familiar with them. What do they teach you about the THWC principles in each section? Share these ideas with your team and ask for them to share their thoughts. Your Indigenous stories may change how your work with your team and your participants. Here are a couple typical scenarios or stories from a THWC. How would you react now in these situations? Come back to these scenarios after you have explored this publication and your own Indigenous stories, would you handle the situation differently?

A THWC judge is about to get on the bench to deal with a participant that is struggling with completing the minimum requirements for Phase One. Before the judge enters, the participant enters the courtroom angry, kicking the gate open on her way to counsel table. She was just reprimanded by her probation officer for failing to follow her terms of probation. The judge takes the bench. The judge's opening dialogue with the participant will set the stage for the participant's remaining session. What leadership skills might help the judge in this situation? What should the judge say? How can you be an effective leader for this participant?

A THWC team is experiencing some tension. One team member rarely speaks because when she does speak she feels the team does not respect or listen to her opinion. The team is discussing a difficult decision whether to terminate a participant. This team member has not offered her opinion, rather she is having a side discussion with another team member during the staffing. She believes the participant should be given another chance and a therapeutic adjustment should be made. She offers that opinion to her teammate, but not to the team. What should the judge do?

What follows is a combination of drug court research and traditional Indigenous stories that hopefully will assist Healing to Wellness judges be the judicial leaders their teams and participants need. Many of the stories are from the Haudenosaunee or Iroquois people⁴ because these are the stories with which I am familiar. A few come from published authors. I am always reluctant to share other Indigenous peoples' stories, unless I know they are from a source approved by the peoples. Please know that Indigenous stories were originally not written down and can be told differently, depending on the situation. They also may only be told during certain times of the year or during certain ceremonies. I hope these stories resonate with you and your teams. But more importantly, throughout the various sections, you will be invited to use or find your own traditional stories that may help you, your THWC team, and

⁴ The Haudenosaunee (People of the Longhouse) are also referred to as the Six Nations and consist of the Seneca, Cayuga, Oneida, Tuscarora, Onondaga, and Mohawk Nations.

participants. It is important you learn and share your own stories and implement what you learn from them into your practice of judicial leadership.

A final thought before we dive into the THWCs key components. Learning and practicing leadership skills can be daunting and, as noted in the preceding text, there are many different approaches. But there is one fundamental component you will see throughout, which is the importance of seeing and hearing each person. As a Mohawk, woman, and person with a disability, there are numerous times I felt like I have not been seen.⁵ A few years ago, when I was working at Syracuse University College of Law, I went with two friends to a Martin Luther King Jr. celebration in the Dome, where all the basketball and football games are played. Dressed in normal work attire, I was walking, using my quad cane, with my two Caucasian, physically abled friends, a husband and a wife. We entered the Dome and walked to the elevator so we could get to the lower floor, where the event was being held. A Dome staff person, an older African American gentleman, was running the elevator. He looked at me and then directly at my Caucasian, male friend and asked, rather loudly, “Does she need a wheelchair?” I quickly responded, rather loudly, “No she does not!” We silently rode the elevator down to the main floor and proceeded on our way. My friends and I did not discuss the encounter at the elevator. No one really wants to talk about not being seen. It is difficult to explain the feeling of being unseen. It is discomfort, embarrassment, anger, frustration, and disbelief that a person cannot see you. All in a few minutes. For some it can be triggering and result in an outburst. For me, it was just yet another instance of not being seen, and I quickly moved on and focused on my friends and the event.

The incident outside the Dome elevator is not the first time I have been unseen. I think about these life experiences when I am working with my THWC team and participants, speaking to THWC teams, and writing about THWC. Many of our participants are viewed as an addict, failure, bad parent, criminal, and screw up. The most recent label I heard about a participant was, “She is so angry and does not smile.” Our team members may also come with labels. That team member is “difficult, hard to get along with, opinionated, refuses to work together, or too quiet and doesn’t participate in the team.” But are our participants and team members only their labels? Am I only disabled? Has that disability shaped who I am? Yes. Is that all I am? No. If that’s all you see when you look at me, you are missing a great deal. You’re missing the fifty-plus years of hard work; laughter; love of animals; bead-working; baking; reading and watching sci-fi books, movies, and shows; and years of serving in my various communities. What are you missing when you look and listen to your team members and participants? I am reminded of a participant our team worked with during the COVID-19 pandemic. Initially this participant never used the video option for hearings. She had limited data on her phone. Technology was also a challenge for her. It’s also possible she did not really want to be seen. Regardless, we listened to her. After her first two weeks in THWC, which were a little rough, I heard a difference in her voice. I said to her, “I can’t see you, but I hear a difference in your voice. You sound great.” She said thank you but did not offer much other information. However, she heard that we

⁵ If you want to learn more about and advocate for people with disabilities see Emily Ladau, *Demystifying Disability* (New York: Penguin Random House, 2021).

recognized her progress. Listening for and hearing improvements was just as important as seeing them. To our Healing to Wellness participants and teams out there, I hope learning and practicing leadership skills will help us be better at seeing and hearing you.

A Note to the Reader:

Please note that every tribal community has their own customs, cultural protocols, and expectations when sharing traditional stories. Please be respectful and mindful of this when approaching the cultural materials shared in this publication and those of the communities which you serve.

Chapter 2: Leadership and Indigenous Stories

“[O]ur stories have been integral to that survival—more than that, they’ve been part of our cultural, political, and familial, resurgence and our continuing efforts to maintain our rights and responsibilities in these contested lands. They’re good medicine. They remind us about who we are and where we’re going on our own and in relation to those whom we share this world. They remind us about the relationships and make a good life possible.”⁶

Mother of Nations—Jikonsahseh⁷

Prior to the formation of the Six Nations Confederacy,⁸ the Nations continually warred with one another. Jikonsahseh benefited from this war. She built her lodge on the main trail, and as a result, the war parties crossed her path. She opened her home and fed the warriors while they were at her home, resting with food and fresh tobacco she provided, she asked clever questions about their travels. She collected the information and used it to benefit her. If people wanted information, they went to her with gifts. She spread gossip and enjoyed the power it gave her. Many hated and feared her, but she also had powerful allies.

One day there came word of a man who was teaching a different way of life. A life without war, without gossip. A life with peace and helping each other. Jikonsahseh was worried. This new way of life could disrupt her power. She wanted to meet this man and eventually he came to her home. This was a man who was called the Peacemaker. His purpose was to help people to live a life of peace. He taught her about the Great Law of Peace, which would unite and bring people together. He came to Jikonsahseh because he had heard of her and wanted her to support this way of life. She understood the good in his words and teachings. She felt relief there was a better way of life and learned all his teachings.

She did not stop with just learning, she traveled with the Peacemaker to the other Nations to teach the Great Law. Many were surprised to see her, as she was hated and yet the Peacemaker was working with her. The Peacemaker taught the people that Jikonsahseh was changed, she abandoned her old ways and had chosen to grab hold of the Great Law of Peace. Eventually the Five, and then Six, Nations laid down their weapons of war and formed the Six Nations

⁶ Daniel H. Justice, *Why Indigenous Literatures Matter* (Waterloo, Ontario: Wilfrid Laurier University Press, 2018), 6.

⁷ Shenandoah, Joanne, and Douglas M. George, *Skywoman: Legends of the Iroquois* (Santa Fe: Clear Light Publishers, 1996), 99. I have heard this story told several different ways, as is common with traditional Indigenous stories. But the main facts remain the same.

⁸ The Six Nations Confederacy or Haudenosaunee (People of the Longhouse) consists of the Onondaga, Seneca, Cayuga, Oneida, Mohawk, and Tuscarora Nations.

Confederacy, a Confederacy that still exists today. Because of her role in helping to form the Six Nations Confederacy, Jikonsahseh is often called the Mother of Nations. She was the first person to accept the Great Law of Peace, and as a result, the Peacemaker gave women the power to select chiefs and remove them if necessary. These women were given the title of clan mother.

Jikonsahseh's life story teaches many things and as with many Indigenous traditional stories can be used in very different ways to teach. But focusing on leadership, we watch as a powerful, feared leader, Jikonsahseh, meets another powerful leader, the Peacemaker, who was teaching a new way of life. The Peacemaker saw past the traits that made people fear her and invited her to learn. In turn, Jikonsahseh, rather than working against the Peacemaker, was willing to listen, learn, and change. Before she stood alone in a powerful position, now she collaborated with the Peacemaker to help the Nations come together and create a formidable Confederacy. Jikonsahseh seized this new way of life and worked toward it. When we tell her story, we often condense it and the change seems to happen overnight, but this is unlikely. The Great Law of Peace is lengthy and learning it is time consuming. Changing one's life to embrace it is also a lengthy process. The learning process for her most likely involved a great deal of soul searching, changing how she thought and treated other people. Life was no longer all about her obtaining and maintaining power. It was about having a good mind, which involves wiping prejudice and unkind thoughts from one's mind and making good decisions.⁹ Peace is good in action, or a good life.¹⁰

Her life also changed from collecting information to use to her advantage to sharing and teaching the Great Law of Peace, so other people's lives could be better. But how does one do this? How does one go from being a powerful person focused on oneself, who some considered evil, to the Woman of Nations who assisted with the formation of the Six Nations Confederacy, which survived the Revolutionary War and decades of assimilationist policies by the United States and Canada? There are so many things we can learn from Jikonsahseh and other Indigenous stories about leadership, but before we do that let's briefly examine the concept of Indigenous leadership and why we use stories to understand Indigenous leadership.

There are numerous theories about Western leadership. Moreover, Western leadership has implemented colonialist and assimilationist laws, policies, and practices that have worked to change Indigenous forms of leadership. Nonetheless, Indigenous leaders and forms of leadership are still present and thriving.

Over hundreds of years, the practice of leadership in Native communities has taken on different forms based on changing historical tides—autonomy, imperialism, colonization, resistance, and renaissance. As Native people, we live on shifting sands. For thousands of years prior to colonization, leadership in Indigenous communities was based on the character of the land and the needs

⁹ Paul A. Wallace, *White Roots of Peace: Iroquois Book of Life* (Santa Fe: Clear Light Publishers, 1994), 26.

¹⁰ *Ibid.*, 27.

of the people in their traditional territories. Today, Native Nations strive for solidarity and the right to govern themselves once again. This solidarity, the state of being in which we govern our own lives in our own chosen places, is becoming a reality.¹¹

We need to practice Indigenous leadership as we govern ourselves and lead our teams and participants. Our continual survival requires us to step forward today and assume roles of leadership. But how do we do that?

There is no one best practice for Indigenous leadership. Due to the different cultures, there are many “practices that emerge from diverse cultures and community experiences.”¹² Moreover, the concept of “best” is a hierarchical, non-Indigenous construct.¹³ What is “best” for your community is driven by your culture and community. Some communities prefer to use the concept of wise practices as opposed to best practices.¹⁴ A wise practice is defined as “locally appropriate actions, tools, principles, or decisions that contribute significantly to the development of sustainable and equitable conditions.”¹⁵ Wise practices are contextual, they are not standardized or one-size-fits-all concepts.¹⁶ But to identify wise practices, one must know his/her community and culture. This may seem daunting to those judges who have grown up away from their communities or are not from the community. Nonetheless the work and time required to learn from cultural teachers about one’s community is critical and can be accomplished. It takes a great deal of learning to become a judge, whether or not one is law trained. Becoming a good THWC judge takes much learning and “success usually requires sustained effort.”¹⁷ But law training is not enough if you want to enact change in your community to deal with addiction and substance abuse issues.

Although each Nation and culture are different, there are some common themes and practices that help us develop Indigenous leadership skills. A critical component to Indigenous leadership is learning and listening. One needs to learn about the community and practices through mentorship from individuals in the community such as peers, traditional teachers, healers, and elders.¹⁸ As one learns and listens, you develop relationships, based on mutual

¹¹ Carolyn Kenny, *Living Indigenous Leadership: Native Narratives on Building Strong Communities* (Vancouver: University of British Columbia Press, 2013), 1.

¹² Calliou, Brian, and Cynthia Wesley-Esquimaux, “Best Practices in Aboriginal Community Development: A Wise Practices Approach” (Banff Centre, Indigenous Leadership and Management, 2010), 15, retrieved October 9, 2023, https://www.researchgate.net/publication/259176947_Best_Practices_in_Aboriginal_Community_Development_A_Literature_Review_and_Wise_Practices_Approach.

¹³ *Ibid.*, 15.

¹⁴ *Ibid.*, 19.

¹⁵ *Ibid.*

¹⁶ *Ibid.*

¹⁷ *Ibid.*, 21.

¹⁸ *Ibid.*, 15.

respect and listening as opposed to domination.¹⁹ In a study on Indigenous leadership, a researcher noted that leaders “gained influence by being there, waiting patiently in the background, and demonstrating their deeper interest in both the material and spiritual welfare of the community. Leadership for these indigenous leaders was a relational process that was co-constructed slowly over time.”²⁰

Building relationships with our communities and teams is foundational to Indigenous leadership. “At its core, Indigenous leadership is relational. In healthy tribal societies, individuals acted on behalf of others in the community. Their leadership was the glue that helped to keep the Nation together.”²¹ It is no surprise because of the importance of relationships, that many Indigenous leaders operate in a nonhierarchical context, where consensus and accountability is predominant rather than majority vote.²² The spiritual principle of the interconnectedness of all things is emphasized in the majority of Indigenous scholarship on leadership.²³ We witnessed Jikonsahseh listening and learning about the Great Law that transformed her. She then changed to act on behalf of others; she changed her connections and relationships with people. Her connection with people was no longer about building her power, it was about helping others and she was able to help unite Nations.

Listening, learning, and building relationships leads us to another important aspect of Indigenous leadership, understanding the community and culture. *This does not mean that judges must always be citizens of the Nations where they work. But it does require that judges, who are citizens of other Indigenous or non-Indigenous Nations, learn and adapt their leadership skills so they are based upon the communities they serve. Leaders working in Indigenous communities must understand the place and identity of the people they serve, or the sacred place in which they serve.*²⁴ Jikonsahseh was not a citizen of every Nation that joined the Confederacy. In fact, some versions of the story state she was a citizen from a completely different Nation. But she listened and learned from people who came to her. At first this knowledge contributed to conflict, but as she learned about the Great Law, she used this knowledge and understanding of these Nations to bring them together.

Adam B. Bull Jr. provides an example of listening, learning, building relationships, and coming to understand the community and culture, even though he is not a citizen of that Nation. He served as a principal of Wingate High School on the Navajo Nation Reservation. A citizen of the Choctaw Nation, he served for many years before feeling a part of the community.

¹⁹ Stewart, Jenny, and James Warn, *Between Two Worlds: Indigenous Leaders Exercising Influence and Working Across Boundaries*, *Australian Journal of Public Administration* 76, no. 1 (2016), 12–15, retrieved October 9, 2023, <https://onlinelibrary.wiley.com/doi/epdf/10.1111/1467-8500.12218>.

²⁰ *Ibid.*, 12–13.

²¹ See note 11, Kenny, *Living Indigenous Leadership*, 7 citing Archibald, Jo-ann, *Indigenous Storywork: Educating the Heart, Mind, Body, and Spirit* (Vancouver: UBC Press, 2008).

²² *Ibid.*, 5.

²³ *Ibid.*

²⁴ Warner, Linda Sue, and Keith Grint, “Sacred Places: Indigenous Perspectives of Leadership,” *Voices of Resistance and Renewal: Indigenous Leadership in Education* (Norman: University of Oklahoma Press, 2015), 23–25.

He connected to the place through the traditions of the Navajo people who occupied the place. “From his leadership experiences, we conclude that the sacred is not the place itself but the connection to place as identified by the people in the place.”²⁵ Mr. Bull Jr. connected with the people and with the place through the people. He exemplified that strong leaders listen and involve the people they lead.²⁶ Listening and learning about the community and culture is necessary to build needed relationships to be an Indigenous leader.

The wise practices we need to know to build these relationships and be a good leader for Nations and communities are often found in the stories told by our elders and storytellers. Indigenous stories do more than simply outline a wise practice. “Stories provide many of the guiding lights to show us our way on Earth—to lead truly good lives. These stories are embodied in oral traditions, in arts, in traditional practices of all kinds. Stories, especially in the oral tradition, provide powerful bridges that connect our histories, our legends, our senses, our practices, our values, and, fundamentally, our sustainability as peoples.”²⁷ These stories provide bridges that teach us and in turn help us build the relationships that help us be good leaders.

Richard Van Camp, an indigenous modern-day storyteller and writer, explains that stories help us create connections, community, and purpose.²⁸ Stories are the medicine that help us build those connections, community, and purpose.²⁹ Stories bond us with our communities by giving us a common understanding, which helps us build connections.³⁰ In addition to common understandings, stories help us learn our identities and roles which helps us build connections to our communities.³¹ “[Listeners] link the stories they’ve heard about their ancestors with the stories they are living. This linking of narratives breathes meaning into their world.”³² As we listen to traditional stories, we apply their teachings and experience to our lives, as a result the stories shape us and help us find meaning.³³ Stories use different tools to help us understand or know ourselves by including “an empowering blessing, sometimes they’re a disfiguring curse, sometimes they offer a bit of both shadow and light. But they are always a part of who we know ourselves to be.”³⁴ Also, our stories often use familiar characters and motifs that reassure us, as well as challenge us,³⁵ leading us to make wiser choices. As we listen to stories, we begin to understand our identities and our communities, and we learn our

²⁵ Ibid.

²⁶ Ibid.

²⁷ See note 11, Kenny, *Living Indigenous Leadership*, 4.

²⁸ Richard Van Camp, *Gather: Richard Van Camp on the Joy of Storytelling* (Saskatchewan: University of Regina Press, 2021), 16.

²⁹ Ibid., 18

³⁰ Sium, Aman, and Eric Ritskes, “Speaking Truth to Power: Indigenous Storytelling as an Act of Living Resistance,” *Decolonization: Indigeneity, Education & Safety* 2, no. 1 (2013), v.

³¹ Mallory Whiteduck, “‘But It’s Our Story. Read It.’: Stories My Grandfather Told Me and Writing for Continuance,” *Decolonization: Indigeneity, Education & Society* 2, no. 1 (2013), 83, quoting Blaeser, “Writing Voices,” 65.

³² Ibid., 87, quoting Howe, “Business of Theory Making,” 331.

³³ See note 6, Justice, *Why Indigenous Literatures Matter*, 34.

³⁴ Ibid., 35.

³⁵ Linda Tuhiwai Smith, *Decolonizing Methodologies: Research and Indigenous Peoples* (Dunedin, New Zealand: University of Otago Press 1999), 145–46.

responsibilities to our communities and know how to uphold these responsibilities.³⁶ We then create and strengthen connections and affirm our relationships with our families and Nations.³⁷ As we are shaped and find meaning in our lives, we are better able to create connections, be a part of community, and build the relationships that help us improve our communities.

Using our own stories is an important part of indigenous leadership and Nation-building because it is part of the decolonization process. As we develop leadership skills, we are developing our personal capacity to serve and engaging in Nation-building and self-governance. We are combatting the effects of colonialism as we rebuild, reunite, and revitalize our governing bodies and people.³⁸ Indian Nations, Tribal Courts, and THWCs need leaders that possess skills that facilitate self-determination and sovereignty. Dorothy Aguilera-Black Bear and John W. Tippeconnic III write about the importance of educators possessing Indigenous knowledge and leadership skills to “facilitate the attainment of self-determination and an educational sovereignty that is shaped and informed within the localized community content.”³⁹ THWCs also need judges that possess knowledge about substance use disorders and Indigenous knowledges. This empowers us to assist people on the path of recovery, which in turn strengthens our families, Nations, and sovereignty.

Indigenous stories, told by Indigenous storytellers, are reminders that colonialism has been unsuccessful and counter the Western narrative. “Indigenous peoples who tell their creation stories disrupts the settler mythology and their arrival stories of terra nullius.”⁴⁰ When we tell our creation stories about how the land was created and our peoples’ role in the creation, we contradict the colonists’ stories of their arrival to a land without people. “This tale-telling tradition contains what is most poetically true about our struggles. The tales are one place where the most subversive elements of our history can be safely lodged.”⁴¹ Indigenous stories affirm that the land and people existed prior to the colonizers. The land was not empty upon the arrival of colonizers. They tell the stories of how Indigenous peoples were placed on this land and are stewards of the land. These stories remind us of the strength of our ancestors and the strength we are given to continue their work.⁴²

Indigenous stories not only counter the colonizers’ claim to our land but also refute the Western narrative about Indigenous peoples as whole. Our stories are not simply a show and tell, allowing others to learn about our culture, storytelling is an active process that helps us reclaim our narratives. “Contrary to liberal notes of stories as depoliticized acts of sharing, we must recognize stories as acts of creative rebellion. Decolonizing the very act of storytelling

³⁶ See note 6, Justice, *Why Indigenous Literatures Matter*, 2.

³⁷ See note 32, Whiteduck, “But It’s Our Story,” 73, quoting Blaeser, “Writing Voices,” 54.

³⁸ See note 12, Calliou, *Best Practices in Aboriginal Community Development*, 1.

³⁹ Aguilera-Black Bear, Dorothy, and John W. Tippeconnic III, eds., *Voices of Resistance and Renewal: Indigenous Leadership in Education* (Norman: University of Oklahoma Press, 2015), 7.

⁴⁰ See note 30, Sium and Ritskes, “Speaking Truth to Power,” quoting Tuck and Yang, no page number.

⁴¹ *Ibid.*, III, quoting Honor Ford-Smith, 3.

⁴² Basil Johnston, *The Gift of the Stars, Anangoog Meegiwaewinan* (Neyaashiinigiing, Ontario: Kegeponce Press, 2010), 7–8.

means breaking from liberal notions of stories as a kind of multicultural 'show and tell.' It means closing the false gap that often exists between speaking and acting."⁴³ As we share our stories, it is not simply an oral history, lesson, or teaching, it is our philosophies, epistemologies, and theories, all told within our stories.⁴⁴ Daniel Justice writes that,

[The story of Indigenous peoples as told by the Western narrative] presumes that we're all broken by addiction, or dangerously promiscuous according to the pleasure-hating Puritanical concepts of bodily propriety. It insists that we have a lack of responsibility, lack of self-control, lack of dignity; it claims that we can't take care of our children or families or selves because of constitutional absences in our character, or biology, or intellect. And it goes even further. Rather than seeing lower life expectancy, employment, and education rates, and higher rates of homelessness, substance abuse, and suicide as being rooted in generations of sustained and intentional colonial assaults on all aspects of our lives and identities, we're blamed for our supposed lack of basic human decency.... In this poisonous story, every stumble is seen as evidence of innate deficiency, while any success is read as proof of Indigenous diminishment. In a particularly cruel twist, even our strengths are presented as evidence of our inadequacy.⁴⁵

Telling the true narrative of Indigenous peoples helps us heal, as we reclaim our story. We tell our Indigenous story that is not just about the ravages of substance abuse. It helps us and our participants understand their story is not solely about their substance use disorder. Indigenous scholar Daniel Justice writes, "[stories] can drive out the poison, heal the spirit as well as the body, remind us of the greatness of where we came from as well as the greatness of who we're meant to be, so that we're not determined by the colonial narrative of deficiency."⁴⁶ Without our stories, only the Western version of Indigenous peoples will be told, damaging our communities. "If the simplistic deficiency accounts are all we see, all we hear, and all that's expected of us, it's hard to find room for the more nourishing stories of significance."⁴⁷ Our ancestors left part of themselves in their stories to help their future generations—us—reclaim our ourselves, communities, and Nations.

Our stories helped us survive and as we reclaim and use them, they become integral to our, and our participants, survival. But they are more than about survival. Daniel Justice writes, "our stories have been integral to that survival—more than that, they've been part of our cultural, political, and familial, resurgence and our continuing efforts to maintain our rights and responsibilities in these contested lands. They're good medicine. They remind us about who we are and where we were going, on our own and in relation to those with whom we share this world. They remind us about the relationships that make a good life possible."⁴⁸ Our work in THWCs is

⁴³ See note 31, Sium and Ritskes, "Speaking Truth to Power," v.

⁴⁴ Ibid., v, quoting Watts, 26.

⁴⁵ See note 6, Justice, *Why Indigenous Literatures Matter*, 2–3.

⁴⁶ Ibid., 5.

⁴⁷ Ibid., 4.

⁴⁸ Ibid., 6.

begins as the work of survival, but as people move through the phases, our work moves to reclaiming our people, communities, and Nations. Our THWC participants often come to us having lived deficient lives, without hope, continually told the stories of their mistakes. We counter those stories, telling them of their strengths, that they can make better choices and live a life in recovery. We assist them with connecting or reconnecting with their culture and their families, helping them to live in recovery and reclaim their narratives. We assist them with reclaiming their lives and learning to survive, in a good way, in sobriety.

Throughout this publication, stories are used to help us think about what wise practices we need to employ as judicial leaders in THWCs. As leaders, we use these stories to help us, but also to help those we work with in our teams and the participants we serve. “Stories are a creative act of leadership through which we manifest our solidarity and strengthen our people to take their next steps in encouraging good and healthy lives.”⁴⁹ As we work through the Healing to Wellness Key Components, you are encouraged to find your own stories, that will strengthen you, your team, and your participants in encouraging good and healthy lives. I hope these stories will help you think about how to better see and hear your teams and participants.

⁴⁹ See note 11, Kenny, *Living Indigenous Leadership*, 1.

Chapter 3: Key Component #8 - Monitoring and Evaluation

*Process measurement, performance measurement, and evaluation are tools used to monitor and evaluate the achievement of program goals, identify needed improvements to the THWC and to the tribal court process, determine participant progress, and provide information to governing bodies, interested community groups, and funding sources.*⁵⁰

You are probably thinking someone messed up the pages because why is a discussion about judicial leadership in Healing to Wellness Courts starting with Key Component #8, which focuses on monitoring and evaluation? Aren't we supposed to focus first on gathering people to create a team? When I teach the Healing to Wellness Key Components, I teach them in chronological order, and inevitably we get to number #8 and I say, "Oh look, we're out of time. Don't forget to evaluate your team"—and the workshop is over. But let's be bold leaders and start with the component no one ever really wants to talk about, except researchers, because evaluation is really gathering and telling our THWC stories. So let's begin there.

A quick note on terminology. As discussed previously, the leadership traits or examples we need to learn and use are referred to as wise practices and are found in our Indigenous stories. Drug Court researchers have set forth numerous best practices, based on research conducted on adult State drug courts. This research has not been conducted on Healing to Wellness Courts. Nonetheless, the best practices provide us guidance on developing and leading a well-functioning Healing to Wellness Court. Thus, I will be referring to best practices in drug courts, as well as wise practices as taught by Indigenous stories. As we review each of the THWC Key Components, I'll review some best practices for drug courts based on the research, and then provide some indigenous stories that include wise practices for judicial leadership.

Evaluations are a best practice for Adult Drug Courts and Family Treatment Courts (FTCs). First, it is recommended we monitor our THWC's adherence to the best practices on an annual basis, develop a remedial plan to address problems, and then monitor the success of those actions.⁵¹ We also need to monitor our participant outcomes during their time in the program,⁵² in addition to new arrests, convictions, and new incarcerations for three years after entry into our THWCs.⁵³ Outcomes should be measured for all eligible participants who entered, regardless of whether they graduated, withdrew, or were terminated.⁵⁴ I have also found it helpful to monitor why participants who were screened did not enter into the THWC. It is recommended that an independent evaluator examines the court's adherence to best practices and participant outcomes no less than every five years.⁵⁵ This can be a tremendous challenge for THWCs to find the funding and a researcher to conduct the evaluation.

⁵⁰ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 64.

⁵¹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 59; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172.

⁵² *Ibid.*, 59.

⁵³ *Ibid.*

⁵⁴ *Ibid.*, 60.

⁵⁵ *Ibid.*

Fortunately, most Bureau of Justice Assistance grants for Healing to Wellness Courts will fund an evaluation and Healing to Wellness Courts can seek technical assistance in finding an appropriate evaluator.

As part of the evaluation, the outcomes of participants are compared to an equivalent comparison group of people who are eligible but did not enter the THWC⁵⁶ and participants and comparison groups must be measured over the same amount of time.⁵⁷ This is a challenge for THWCs as our populations are smaller than most State drug courts. In State court drug courts, they also monitor the admission rates, services, and outcomes for groups that have historically experienced discrimination.⁵⁸ THWCs are created specifically for a historically discriminated population, Native Americans, thus we may think we can skip this best practice. However, we need to be mindful of our populations and monitor whether our THWCs have disparities with regards to gender, LGBT, and any other at-risk populations in our individual communities. Within our FTCs, we may also want to address disparities between fathers and mothers and why one population might be lower than the other and how we can better reach that population. Best practices also encourage courts to use an electronic database to assist with monitoring program performance and this can provide THWC staff with real-time information regarding adherence to best practices and in-program outcomes.⁵⁹ Information regarding provision of services and outcomes should be recorded within forty-eight hours and this data entry requirement be a part of evaluating staff job performance.⁶⁰

So why are we starting with the Key Component focused on evaluation? Because evaluation is all about collecting and telling stories. We must tell the story of our THWCs and discover and examine our strengths and weaknesses. Our experience, teachings, and stories help us find meaning in who we are and what we do.⁶¹ Our stories, told through evaluations, have power and beauty because they shape us, help us know what we are doing well and what we can do to improve. Indigenous scholar Daniel Justice's writes that stories are sometimes "an empowering blessing, sometimes they're a disfiguring curse, sometimes they offer a bit of both shadow and light. But they're always part of who we know ourselves to be."⁶² Our stories, told through evaluations, do the same. They confirm us and empower us by telling us what we are doing right, they can offer shadow and light, and by telling the truth they might disfigure us a little. But they will provide the light and direction we need to improve.

⁵⁶ Ibid.

⁵⁷ Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172.

⁵⁸ Ibid.

⁵⁹ Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172.

⁶⁰ Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172.

⁶¹ See note 6, Justice, *Why Indigenous Literatures Matter*, 34.

⁶² Ibid., 35.

As we evaluate our THWCs, we will find wise practices that work for us. Evaluation and monitoring give you the opportunity to tell the stories about your team, participants, and their hard work. Like our traditional stories, the stories we collect through evaluation will guide us in our work. Evaluation can be hard work and often our many other duties make it difficult to focus on evaluation. As judicial leaders, it is our job to make it a priority and lead our teams in conducting evaluation and collecting stories. We need to ensure the team receives training on evaluations. We also must lead the way, demonstrating the importance of evaluation, by making sure we have a plan in place to evaluate our THWCs, the plan is implemented, and that we pull our lessons learned from the evaluation and implement them into our THWC.

Collecting Data or Stories

The following story reminds us of the importance of collecting stories, or data, and sharing the data, or storytelling. Collecting and sharing stories or data, changes people’s lives. As a judge, you must set the standard by continuing to collect data to tell your stories and diagnose problems. You can use your staffing time to discuss the stories your data tells. This will help your team make improvements to their lives, just like Gaqka after he was taught stories. What stories from your THWC might be important to capture and tell others? How will you gather these stories?

The Origin of Stories and Storytelling—As Told by Perry Ground⁶³

This story happened a long time ago, back when the Great Turtle Island was new.

There was a young boy who lived in a village of Haudenosaunee people, but he lived alone because his parents had died. His Uncles refused to care for him so this boy, whose name was Gaqka (which means Crow), had very little food or clothing and was very dirty. He tried to hunt small birds and squirrels for food but none of the other men would teach him this important skill. Everyone in the village called him Filth-Covered-One and held their noses when he was near; no one thought the boy would ever amount to anything.

So Gaqka decided to leave the village and vowed to become a great hunter. He set off toward the river where he found a canoe with strange markings; he had never seen this canoe before. Gaqka took the canoe and, as soon as he pushed away from shore, the canoe shot up into the air!! Gaqka paddled through the wind and the clouds, always flying toward the south. As the sky began to brighten into morning, the canoe settled down into a river and Gaqka paddled toward shore. He looked up and saw a giant cliff that had the

⁶³ Ground, Perry (Onondaga), 2019. “The Origin of Stories and Storytelling,” Facebook, August 21, retrieved October 9, 2023, <https://www.facebook.com/perry.ground/posts/10211384801094897>.

face of a man etched in its rocky side. Gaqka decided that he would live atop this cliff so climbed up and built a small bark cabin for himself.

This work took him all day, so, that night, Crow sat down on the edge of the cliff to rest. As he looked up at the stars above his new home, Gaqka heard a thundering voice that sounded like giant boulders being crushed together, "Give me some Tobacco." Startled, Gaqka looked all around for the person who had spoken but could find no one. He got his bow and arrows and started to fix them for the next day's hunt. "Give me some Tobacco!" boomed the voice again. It seemed to be coming from the rocky cliff face. So Gaqka took out his pouch and tossed some tobacco over the side of the cliff. "Now, I will tell a story..." said the voice. Gaqka listened in disbelief as the voice wove a wonderful tale about magical things in the forest. Suddenly, the voice paused and Gaqka asked what was wrong. "This tale has ended. When I finish a story, it will be the custom to say 'Da'neho' which means 'I am finished.' Then, you should give a small gift for the stories." Gaqka laid some small bone beads upon the rock as a gift. The rock continued, "When I announce a story, you should say 'Nio' so that I know you are ready to listen. While I am telling, you should say 'He yah' so I know you are not asleep; never fall asleep while I am telling a story." Gaqka promised to do these things.

The next day, Gaqka hunted for birds and killed a great many. He roasted the birds and then sat upon the rock, hoping to hear more stories. After a time, the rock said, "Give me some Tobacco." Gaqka tossed some tobacco over the side of the cliff and the rock said, "I will now tell a Story." Gaqka replied "Nio" and sat mesmerized as the rock recounted many wonderful stories. He did not fall asleep and gave a bird bone awl when the rock said "Da'neho." The next day, Gaqka went far to the east to hunt and found a village. Although he did not know the people of this village, they welcomed him in and soon Gaqka had many friends. The older men offered to teach him to hunt larger game. Gaqka became very skilled at hunting deer and elk and shared his meat with people in the village.

One night, Gaqka invited some of his new friends to his camp high atop the rocky cliff. There, he allowed them to listen to the magical tales told by the rock. The people marveled at these tales and brought many gifts to be shared with Gaqka and with the rocky cliff. After some time had passed, Gaqka had enough deer skins to make a fine set of clothing. He also wanted a pouch decorated with fine quill work, but he was not able to make such a thing. So Gaqka went to the village and to the lodge of a woman who lived with her two daughters. He asked that they make the pouch he desired. The beautiful younger daughter stepped forward and said, "I have been waiting for you to come to our lodge; I made this for you." She handed a finely quilled pouch to Gaqka. The two of them smiled at each other and the mother spoke up, saying "I believe my

daughter's future husband has come to our longhouse." Gaqka shared a story that he had learned from the rocky cliff as thanks for the handsome pouch and then returned to his own camp. Soon, the beautiful young woman appeared at Gaqka's lodge. She carried a basket of marriage bread and said, "My Mother greatly wishes that you would marry me," as she placed the basket near the door to his lodge. Gaqka looked at the young woman and immediately fell in love. As was the custom back then, he ate some of the marriage bread to accept her proposal.

The young couple went to the woman's longhouse to live (as was the custom at that time) and were very happy. But after a while, there seemed to be tension and unhappiness in the lodge. The wife came to Gaqka and said, "We must go away from this lodge. My sister is very jealous that I am married before her, and she plans to harm you while we sleep." Crow had seen the older sister glowering at him and frowning in an evil manner, so he agreed to leave. He took his bride back to his own camp on top of the rocky cliff. That night, the voice boomed out again, "Give me some Tobacco." Gaqka tossed some tobacco over the side of the cliff and then he and his wife sat down to listen to the tales of long ago. The wife did not seem surprised at the talking rock. She explained, "This rock is bewitched and was once my grandfather. He knew all the tales of the old days and became this rocky cliff so that he could remain forever to share them." Gaqka could scarcely believe what he heard but his wife continued, "I must now make for you another pouch. But this one will be for stories; you must find a small token or trophy that reminds you of each tale and put it into the pouch." So, the wife made another beautiful bag and the two of them stayed in the camp atop the rocky cliff all winter.

When springtime came, Gaqka realized that his new bag was now full. His wife said, "You have learned all the stories from long ago and now we must go north back to your country and your people. You will tell the stories that my Grandfather shared and you will become a great man." But Crow looked very sad and explained that "In my village, I am not seen as great at all; I am an outcast and people call me bad names." But the wife insisted, "We shall go North, and it will now be different." Gaqka loved his wife very much so agreed to take her to his village. The two of them descended from the rocky cliff to the river below. There, the canoe that had carried Gaqka through the air waited for them. "This is my canoe," said the Wife, "I sent it for you to bring you here." The two of them climbed in and began to paddle.

Soon, the canoe was swept up into the air and it flew back to the place where Gaqka had once lived. As they walked ashore, the wife turned to Gaqka and said "Before we go to your village, there is one more thing you must do. I shall remove your clothing and you must pass through this hollow log. When you emerge, your scars will be healed, and you will be dressed in the finest clothing."

Gaqka did not know what magic his wife was going to do but he followed her instructions. He passed through the hollow log and, as his wife had promised, Gaqka came out with his body healed. He was now a very handsome man and was dressed in fine clothing.

The two then walked to his old village and everyone gathered around the beautiful couple. "I am Gaqka, the one you called 'Filth-Covered One', and I have returned home with my wife." The people were astonished that Crow had returned. That night everyone gathered around and Gaqka took out his storytelling pouch; he pulled out the first token and said "Ahhh, this reminds me of a good story." Gaqka told many stories and instructed the people to give a small gift or some tobacco when they heard a story. Everyone now thought that Gaqka was a great man and listened whenever he told stories. He was that first storyteller and he taught many others to follow after him. And that is why there are so many stories still around today. Da-neh-Ho!

Questions to Think About

1. How did collecting and telling stories change Gaqka?
2. How would Gaqka's life be different if he just collected the stories and did not share them?
3. What characteristics or traits did Gaqka possess that made him good at collecting and sharing stories?
4. What can you do as a judge to help collect stories and share them?
5. How has collecting stories or data changed your THWC team?
6. What wise practices do you learn from the Grandfather, the Wife, and Gaqka that would help you be a leader with regards to evaluations?
7. What traditional stories are you in your culture that would teach you wise practices about collecting and sharing stories? Share them with your team.

Asking the Right Questions in the Evaluation Process

Part of the evaluation process is to learn to ask the right questions. Often, we use researchers from outside the community, thus it's important to guide them in asking the right questions. Gluscabi learned the hard way that he did not bother to ask the right questions. Has there ever been a time when you and your team were not asking the right questions? What was the impact of not asking the right questions?

*Gluscabi and the Wind Eagle (Abenaki)*⁶⁴

Long ago, Gluscabi lived with his grandmother, Woodchuck, in a small lodge beside the big water. One day Gluscabi was walking around when he looked out and saw some ducks in the bay. "I think it is time to go hunt some ducks," he said. So, he took his bow and arrows and got into his canoe. He began to paddle out into the bay and as he paddled, he sang:

Ki yo wah ji neh
yo ho hey ho
Ki yo wah ji neh
Ki yow ah ji neh.

But a wind came up and it turned his canoe and blew him back to shore. Once again Gluscabi began to paddle out and this time he sang his song a little harder.

KI YO WAH JI NEH
YO HO HEY HO
KI YO WAH JI NEH
KI YO WAH JI NEH

But again, the wind came and blew him back to shore. Four times he tried to paddle out into the bay and four times he failed. He was not happy. He went back to the lodge of his grandmother and walked right in, even though there was a stick leaning across the door, which meant that the person inside was doing some work and did not want to be disturbed.

"Grandmother," Gluscabi said, "What makes the wind blow?" Grandmother Woodchuck looked up from her work. "Gluscabi," she said, "Why do you want to know?" Then Gluscabi answered her just as every child in the world does when they are asked such a question. "Because," he said. Grandmother Woodchuck looked at him. "Ah, Gluscabi," she said. "Whenever you ask such questions, I feel there is going to be trouble. And perhaps I should not tell you. But I know that you are so stubborn you will never stop asking until I answer you. So, I shall tell you. Far from here, on top of the tallest mountain, a great bird stands. This bird is named Wuchowsen, and when he flaps his wings, he makes the wind blow."

"Eh-hey, Grandmother," said Gluscabi, "I see. Now how would one find that place where the Wind Eagle stands?" Again, Grandmother Woodchuck

⁶⁴ Caduto, Michael J., and Joseph Bruchac, *Native American Stories Told by Joseph Bruchac* (Golden: Fulcrum Publishing 1991), 41–49.

looked at Gluscabi. "Ah, Gluscabi," she said, "Once again I feel that perhaps I should not tell you. But I know that you are very stubborn and would never stop asking. So, I shall tell you. If you walk always facing the wind you will come to the place where Wuchowsen stands." "Thank you, Grandmother," said Gluscabi. He stepped out of the lodge and faced the wind and began to walk.

He walked across the fields and through the woods and the wind blew hard. He walked through the valleys and into the hills and the wind blew harder still. He came to the foothills and began to climb, and the wind still blew harder. Now the foothills were becoming mountains, and the wind was very strong. Soon there were no longer any trees, and the wind was very, very strong. The wind was so strong that it blew off Gluscabi's moccasins. But he was very stubborn, and he kept walking, leaning into the wind. Now the wind was so strong that it blew off his shirt, but he kept walking. Now the wind was so strong that it blew off all his clothes and he was naked, but he still kept walking. Now the wind was so strong that it blew off his hair, but Gluscabi still kept walking, facing the wind. The wind was so strong that it blew off his eyebrows, but still he continued to walk. Now the wind was so strong that he could hardly stand. He had to pull himself along by grabbing hold of the boulders. But there, on the peak ahead of him, he could see a great bird slowly flapping its wings. It was Wuchowsen, the Wind Eagle.

Gluscabi took a deep breath. "GRANDFATHER!" he shouted. The Wind Eagle stopped flapping his wings and looked around. "Who calls me Grandfather?" he said. Gluscabi stood up. "It's me, Grandfather. I just came up here to tell you that you do a very good job making the wind blow." The Wind Eagle puffed out his chest with pride. "You mean like this?" he said and flapped his wings even harder. The wind which he made was so strong that it lifted Gluscabi right off his feet, and he would have been blown right off the mountain had he not reached out and grabbed a boulder again.

"GRANDFATHER!!!" Gluscabi shouted again. The Wind Eagle stopped flapping his wings. "Yesss?" he said. Gluscabi stood up and came closer to Wuchowsen. "You do a very good job of making the wind blow, Grandfather. This is so. But it seems to me that you could do an even better job if you were on that peak over there." The Wind Eagle looked toward the other peak. "That may be so," he said, "but how would I get from here to there?"

Gluscabi smiled. "Grandfather," he said, "I will carry you. Wait here." Then Gluscabi ran back down the mountain until he came to a big basswood tree. He stripped off the outer bark and from the inner bark he braided a strong carrying strap which he took back up the mountain to the Wind Eagle. "Here, Grandfather," he said, "let me wrap this around you so I can lift you more easily." Then he wrapped the carrying strap so tightly around Wuchowsen that

his wings were pulled in to his sides and he could hardly breathe. "Now, Grandfather," Gluscabi said, picking Wind Eagle up, "I will take you to a better place." He began to walk toward the other peak, but as he walked he came to a place where there was a large crevice, and as he stepped over it he let go of the carrying strap and the Wind Eagle slid down into the crevice, upside down, and was stuck. "Now," Gluscabi said, "It is time to hunt some ducks."

He walked back down the mountain and there was no wind at all. He walked till he came to the tree line and still no wind blew. He walked down to the foothills and down to the hills and valleys and still there was no wind. He walked through the forests and through the fields, and the wind did not blow at all. He walked and walked until he came back to the lodge by the water, and by now all his hair had grown back. He put on some fine new clothing and a new pair of moccasins and took his bow and arrows and went down to the bay and climbed into his boat to hunt ducks. He paddled out into the water and sang his canoeing song:

Ki yo wah ji neh
yo ho hey ho
Ki yo wah ji neh
Ki yo wah ji neh.

But the air was very hot and still and he began to sweat. The air was so still and hot that it was hard to breathe. Soon the water began to grow dirty and smell bad and there was so much foam on the water he could barely paddle. He was not pleased at all, and he returned to the shore and went straight to his grandmother's lodge and walked in.

"Grandmother," he said, "What is wrong? The air is hot and still, and it is making me sweat and it is hard to breathe. The water is dirty and covered with foam. I cannot hunt ducks at all like this." Grandmother Woodchuck looked up at Gluscabi. "Gluscabi," she said, "what have you done now?" And Gluscabi answered just as every child in the world answers when asked that question, "Oh, nothing," he said. "Gluscabi," said Grandmother Woodchuck again, "Tell me what you have done." Then Gluscabi told her about going to visit the Wind Eagle and what he had done to stop the wind.

"Oh, Gluscabi," said Grandmother Woodchuck, "will you never learn? Tabaldak, The Owner, set the Wind Eagle on that mountain to make the wind because we need the wind. The wind keeps the air cool and clean. The wind brings the clouds which gives us rain to wash the Earth. The wind moves the waters and keeps them fresh and sweet. Without the wind, life will not be good for us, for our children or our children's children." Gluscabi nodded his head. "Kaamoji, Grandmother," he said. "I understand." Then he went outside. He

faced in the direction from which the wind had once come and began to walk. He walked through the fields and through the forests and the wind did not blow and he felt very hot. He walked through the valleys and up the hills and there was no wind, and it was hard for him to breathe. He came to the foothills and began to climb, and he was very hot and sweaty indeed. At last, he came to the mountain where the Wind Eagle once stood, and he went and looked down into the crevice. There was Wuchowsen, the Wind Eagle, wedged upside down.

“Uncle?” Gluscabi called. The Wind Eagle looked up as best he could. “Who calls me Uncle?” he said. It is Gluscabi, Uncle. I’m up here. But what are you doing down there? “Oh, Gluscabi,” said the Wind Eagle, “a very ugly naked man with no hair told me that he would take me to the other peak so that I could do a better job of making the wind blow. He tied my wings and picked me up, but as he stepped over this crevice, he dropped me in and now I am stuck. And I am not comfortable here at all.” “Ah, Grandfath...er, Uncle, I will get you out.”

Then Gluscabi climbed down into the crevice. He pulled the Wind Eagle free and placed him back on his mountain and untied his wings. “Uncle,” Gluscabi said, “It is good that the wind should blow sometimes and other times it is good that it should be still.” The Wing Eagle looked at Gluscabi and then nodded his head. “Grandson,” he said, “I hear what you say.” So it is that sometimes there is wind and sometimes it is still to this very day. And so the story goes.

Questions to Think About

1. What questions should Gluscabi have asked?
2. How would his life have changed if he asked different questions?
3. Share with your team an experience where you did not ask the right questions and discuss what could have been done differently.
4. What wise practices do you learn from this story and how can you practice them in your work?
5. Is there a traditional story that teaches wise practices about asking good questions? Share it with your team and discuss how to incorporate in your evaluation process.

Assessment of Our Work

Sometimes the choices or plans our teams make may not work, which is why as judges we must ensure we are continually monitoring and assessing our THWC. We may think we have a great plan, but have we assessed its impact on the participants or team? People and their actions are not always predictable. Often we may think we have a great solution, but then discover we did not account for how people may react to our actions. Even the Creator did not predict the impact his solution would have on people in the Origin of Maple Syrup.

The Origin of Maple Syrup—As Told by Perry Ground⁶⁵

This story happened a long time ago, back when the Great Turtle Island was new.

It was winter-time, and the Haudenosaunee were struggling to make it through the long, cold months. They were weakened by the cold and dark and lack of food for they were still new to this world and did not know how to save enough for the Winter. The Creator saw their struggles and wanted to ease their suffering. So, as the Spirit of Spring was bringing his warm raspberry juice to the Frost Spirit (whose axe had frozen all the trees), the Creator asked the Trees if there was a way, they could help the Oñgwe?'oñwe (human beings). The leader of the Trees, the Maple, offered to give his blood to the people so they would have something sweet, and good, to eat. So, the Creator showed the Oñgwe?'oñwe how to make a small cut in the Maple and to draw out the sap. But, at that time, the sap came out of the tree very dark, and very thick, and VERY sweet. It also flowed VERY SLOWLY!!! But the people were very happy with this great gift. They listened as the Creator instructed them to make small basswood tubes to direct the sap into bark or wooden bowls.

When the Oñgwe?'oñwe began to collect the sweet sap and were again happy and strong, the Creator left them, reminding them to give thanks to the Maple. The Oñgwe?'oñwe danced and sang songs of thanksgiving while they waited for the sap to run slowly out of the trees. One boy could hardly wait to eat the sweet syrup and took to sitting next to a tree to watch the sap run into his bowl, sometimes dipping his finger for a little taste. But the sap was ssssooooo SLOW!!! Finally, the boy could wait no longer. He took the bowl and moved it out of the way. Then, the boy laid down under the tree with his head right under the basswood tube. The sweet sap started to run directly into his mouth!! "What are you doing?!?!?" asked the boy's father. But all the boy could answer was "Gggaaahhaahh..." as the sap ran into his mouth. The father went over to his

⁶⁵ Ground, Perry (Onondaga), 2019. "The Origin of Maple Syrup," Facebook, March 25, retrieved October 9, 2023, <https://www.facebook.com/perry.ground/posts/10210605124123460>. You can check out his current Facebook page Perry Ground—Talking Turtle Stories at <https://www.facebook.com/TalkingTurtleStories>.

own tree and laid down, letting sap run into his mouth. Soon, the mother came to find them and asked why they were being so lazy. "Gggaaahhaahh..." was all the two under the trees could answer as their mouths filled with sweet sap. So, mother laid under a tree...then sister...then cousin...then grandmother...and on and on until everyone was laying under the Maple trees.

About a month later, the Creator came back to the village to see how the Oñgwe?'oñwe were doing now that they had the gift of the Maple. But when he entered the village, the Creator found it empty. The longhouses were in disrepair, the fields were not being prepared to plant the Three Sisters, and the cooking fires were cold. The Creator looked around for everyone but all he heard was a strange sound coming from a nearby stand of trees. It sounded like "Gggaaahhaa..." and was very unusual. He went over to the trees and found all the people...they were all lying under the Maple trees with the sweet sap running into their mouths!! Young people, old people, mothers, fathers...all laying on the ground with the sap running into their mouths. They had been there drinking sap for so long, their bellies were puffed out in large, round mounds! Even the dogs of the village were lying under the trees, paws in the air with bellies so big they would drag on the ground if they stood up!!

The Creator was VERY upset and bellowed "GET UP!!! All of you must return to your duties as human beings!!" The people were ashamed at their behavior and went back to tend to their village. But they all secretly longed to lie under the Maple trees again. The Creator knew of this longing in their hearts, so he decided to change the Maple tree. That night, he took pot after pot after pot of water and poured it into the trees. The sap was no longer thick and sweet. In the morning, the people came back to the forest and laid under the trees. But when the sap ran into their mouths, they all jumped up yelling "Blah, blah, blah!!! The sap is awful!" The people were very sad, thinking they had lost this great gift. Just then, whispered on the wind, they heard the Creator's voice: "Boil the sap." So, the people collected the Maple sap and began to boil it.

They found that the boiling was very hard work and it made only a little of the sweet syrup. The people had to collect more and more of the thin, watery sap to make syrup for everyone. The people had to heat up rocks to drop into the sap to make it boil. They had to make bark containers from birch and basswood to collect the sap. But, by doing all this hard work, the Oñgwe?'oñwe came to appreciate the gift of the Maple even more. They once again sang and danced to give their Thanksgivings for this great gift. To this day, the Haudenosaunee eagerly await the end of winter, watching for the sap to flow from the trees. Then, they gather in the longhouse to give thanks and enjoying this great gift of maple syrup. Da-neh-Ho!

Questions to Think About

1. What did the Creator not anticipate about Oñgwe?'oñwe (human beings), when he showed them how to cut the trees to access the sap?
2. What would have happened if the Creator did not require to assess his work?
3. What would you have done differently?
4. Share with your team a specific example of how assessing your teamwork has improved your team.
5. What wise practices do you learn from this story and how can you practice them?
6. What wise practices do you learn about assessing your solutions or work from your Nation's traditional stories?

Concluding Thoughts

As judicial leaders, part of our role is to find our storytellers or researchers to help us with an evaluation. Have you worked with researchers, and do you explain to them that they are helping you gather your stories? Have you taught them the role of storytelling in your community? If yes, how has this impacted their research? If not, will you make a commitment to educate them?

We also demonstrate the importance of data gathering by thanking those on our teams who gather data and tell our stories. How are you showing your gratitude to your team members for their assistance in telling your THWC's stories? We will discuss gratitude and leadership later, but it's important to acknowledge their hard work in gathering the data and then use the data to improve your THWC. We use the data to tell our THWCs' stories to our communities, your team members' role in THWC, and how THWC benefits the community and the importance you and your team's work.

Concluding Questions

1. What wise practices about evaluation and leadership have you learned from these stories?
2. How do these wise practices help you better see your team members and participants?
3. What wise practices do you want to share with your team?
4. What wise practices do you learn from Indigenous stories in your community about evaluation or collecting and telling stories?
5. How will they help you better see your team members and participants?
6. How can you implement these practices?
7. Based on these wise practices, develop and implement an evaluation plan with your team.

Chapter 4: Key Component #1 - Individual and Community Healing Focus

*THWC brings together alcohol and drug treatment, community healing resources, and the tribal justice process by using a team approach to achieve the physical and spiritual healing of the individual participant, and to promote Native Nation-building and the well-being of the community.*⁶⁶

The judge's leadership in Key Component #1 is threefold; gathering the necessary organizations and community support to develop and implement the THWC; the gathering of the team for staffings and court hearings; and promoting Native Nation-building. We will begin with the first, the gathering of organizations. We will then turn to focusing on gathering the team for staffings and court hearings. Finally, we will touch briefly on Nation-building.

Gathering Organizations

When developing a THWC, the leadership role of the judge is critical. The goal of the THWC is to have "stable and effective tribal government institutions (including tribal courts) that promote the health and well-being of individuals, families, extended families, and the tribal community."⁶⁷ The judge needs to initiate the first invitation to bring organizations together. Team members need the support of the organizations to participate in THWCs. As with Jikonsahseh, a well-known leader with influence is needed to pull people together. As with Jikonsahseh, a person's position can be used to influence for the well-being of the community. As judges, we need to think about how we are using our influence. If a Tribal Court does not have a THWC, the judge must reach out to their alcohol and treatment services and other service programs, as well as law enforcement and attorneys, to gather them together to plan.

The judge must step forward and take a leadership role in inviting and encouraging individuals to come to the table. Some may be reluctant at first, not understanding the importance of a THWC. Be mindful of the loss Jikonsahseh experienced. What might the organizations and individuals be giving up in joining this collaboration? Not only do you need to educate these organizations about THWCs but be aware of any loss of autonomy and time that organizations might be giving up. As judges we then can educate about THWCs and include gains that partners will receive that can compensate for any losses. For example, although organizations will have to allow staff to participate on the THWC team, which may result in a loss of time for counseling sessions, the research demonstrates that people stay in treatment longer and are more successful at maintaining sobriety when they participate in Drug Court.⁶⁸ This is a benefit for the organizations as their clients will be more successful. Another concern about THWCs is the cost and some may see the cost of engaging in this endeavor as a loss of

⁶⁶ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 1.

⁶⁷ Ibid.

⁶⁸ Donna M. Coviello, "Does Mandating Offenders to Treatment Improve Completion Rates?," *Journal of Substance Abuse Treatment* 44, no. 4 (2012), 417–25, retrieved October 9, 2023, [https://www.jsatjournal.com/article/S0740-5472\(12\)00419-9/fulltext](https://www.jsatjournal.com/article/S0740-5472(12)00419-9/fulltext).

funding for other programs. Judicial leadership requires us to educate the team, organizations, government, and community about cost savings due to drug courts. And as you guide your organizations and team, as noted in the previous section, it is critical to monitor and evaluate these costs savings.

Drug Court research has illustrated that gathering a multidisciplinary team is a best practice for drug courts and all our partners should be involved in the creation of the program.⁶⁹ It is these partners that will attend pre-court staff meetings, often referred to as staffings,⁷⁰ and attend court hearings.⁷¹ As they are instrumental in the success of a THWC, it's important they be part of its design and implementation. The most important partners, other than the judge, are a coordinator, prosecutor, defense counsel, treatment, mental health services, probation or community supervision, and law enforcement.⁷²

The Family Treatment Court Best Practices also note the importance of a judge gathering the necessary representatives from child welfare, treatment systems, community partners, and other stake holders to “collaboratively develop, implement, and manage the FTC’s ongoing operations and achieve the FTC’s mission and vision.”⁷³ The judge works with the planning team and the operational team to ensure that the team has a representative from services that are needed by participants to be successful, as participants and families struggle with many issues that may cause a return to a using substances, including housing, education, employment, childcare, financial, and medical.⁷⁴ Often as new judges, we may not understand the authority we have to bring people to the table. As a new judge, I questioned this authority, until I realized some people would more readily respond if I made the invitation, as opposed to my court staff. Of course, this authority should be used sparingly. “By virtue of their position, all drug court judges typically have the power, influence, and ability to bring together a multidisciplinary team with representatives of government and community-based organizations. This allows FTC judges to convene providers who can provide the services children, parents, and families need while participating in the FTC and after case closure.”⁷⁵ It is also your judicial leadership that helps keep people at the table to build and maintain a team.

A critical part of building and maintaining a team is developing a shared mission and goals. “To collaborate successfully, the judge needs to lead the team in developing a shared vision.”⁷⁶ It is a best practice of FTCs to jointly develop mission and vision statements that reflect their mandates, perspectives, and values.⁷⁷ A shared vision is based on team members’

⁶⁹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 38.

⁷⁰ Ibid.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 34.

⁷⁴ Ibid., 36.

⁷⁵ Ibid.

⁷⁶ Carrie Garrow, *Changing Family Courts to Help Heal and Build Resilient Families*, 2018 B.Y.U. L. Rev. 1277, 1301.

⁷⁷ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 13.

complementary view of their work, which is focused on providing a safe and drug-free environment for children.⁷⁸ Engaging in this process allows people from different systems to see how they connect with other agencies and systems.⁷⁹

Gathering the Team

As new judges, we sometimes think if we tell a person to go to treatment, they will go. Thus, there is no need for a team because as judges, we wield the power to tell people what to do. However, research has demonstrated that many individuals, particularly those who are high risk/high needs,⁸⁰ need more support. Judges cannot force people to change. We can motivate, encourage, and support them through the changes they make. This support comes in the form of a collaborative, interdisciplinary team, typically comprised of the judge, a coordinator, law enforcement, prosecution, defense attorney, probation, treatment providers, mental health services, and child welfare.⁸¹ Much like the collaboration between the Six Nations, a team is stronger and better equipped to assist individuals as they learn to live in recovery. The team members provide referrals and support in addressing addiction issues. With the team's help, the judge is better equipped because experts on addiction and mental health have provided important guidance on how to best help the participants. The judges must acknowledge, like a participant, they cannot make this healing to wellness journey alone. Success will only be achieved through teamwork.

Thus, once the THWC is implemented, it is the judge who leads the team in implementing the THWC objectives—reducing use and abuse of alcohol and other drugs; criminal activity related to the use and abuse of alcohol and other drugs; juvenile delinquency; and civil child neglect and child abuse.⁸² Just as we gather individuals to develop the THWC, we also gather individuals together during weekly or biweekly staffings and hearings to assist the participants. It is a best practice that judges attend the staffings.⁸³ A judge cannot lead the team and be prepared for court hearings unless the judge is present for the staffing. Gathering the team and participating in staffings is an important aspect of being a judicial leader. As discussed earlier, an important part of Indigenous leadership is listening. We cannot listen to our team members and consider their recommendations if we are not present at staffing meetings.

⁷⁸ See note 76, Garrow, *Changing Family Courts to Help Heal and Build Resilient Families*, 1301.

⁷⁹ Ibid.

⁸⁰ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 6.

⁸¹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 38; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 12.

⁸² See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 1.

⁸³ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 22.

Nation-Building

As the leader of the THWC team, we also promote Native Nation-building and the well-being of the community. Learning and building a new method to addressing crime, child neglect and abuse, and addiction, is Nation-building. It is engaging in community development to help assist our citizens and family members. Leadership has been identified as a key factor of successful Indigenous community development.⁸⁴ “Effective leadership is key to seeing a community project through completion.”⁸⁵ Gathering organizations and team members is Nation-building and it will not happen without your leadership. The question remains, what are the wise practices you need to help gather organizations and your team to build and implement an effective THWC?

The Gatherings

There are numerous traditional Indigenous stories that teach wise practices about leadership and teamwork. Jikonsahseh and the Peacemaker collaborated to bring the Nations together. These leaders understood the strength that came from uniting and working together. The Six Nations’ strength lay in their unity.⁸⁶ They were unified in diversity; separate Nations that knew that their independence was dependent on a union that guaranteed their way of life.⁸⁷ “The strength of the whole made safe the individual differences of the members.”⁸⁸ One of the many symbols given to the Six Nations by the Peacemaker was the bundle of arrows, which signified their strength through their union.⁸⁹ He took one arrow from each Nation and tied them together and said, “Now it is completed. I have made it tight. It will be impossible to bend it, and it will endure as long as there shall be generations.... I say to you it will not be right for one of the several Nations to pull out its arrow.”⁹⁰ When we gather our teams, we are adding arrows to our bundle to help participants battling addiction, and we become stronger with each team member.

The Peacemaker, and then Jikonsahseh, understood the problems that infighting and leading a hate filled life created. Jikonsahseh had lived a life filled with war and conflict and although she was successful at navigating it, she realized there was a better solution to this conflict. The Peacemaker and Jikonsahseh were problem solvers. But they did not work alone. The Peacemaker also recruited Hiawatha to help gather the Nations. Hiawatha had many flaws when the Peacemaker first met him, he was known as a “man who eats humans.”⁹¹ The

⁸⁴ Calliou, Brian and Cynthia C. Wesley-Esquimaux, “Best Practices in Aboriginal Community Development: A Literature Review and Wise Practices Approach”, The Banff Centre (Banff, Alberta: The Banff Centre, 2010), 22.

⁸⁵ Ibid.

⁸⁶ See note 9, Wallace, *White Roots of Peace*, 70.

⁸⁷ Ibid., 70–71.

⁸⁸ Ibid., 71.

⁸⁹ Ibid.

⁹⁰ Ibid.

⁹¹ Ibid., 42.

Peacemaker taught him about a good mind and living the Great Law of Peace.⁹² The Peacemaker asked him to bring peace to places where he had injured people.⁹³ Their path was not easy. They eventually had to bring the Onondaga Nation into the Confederacy, which was not easy. The following story describes how the snakes were combed out of Atotarho's hair, which resulted in the Onondaga Nation joining the Confederacy. What led to Hiawatha's success? Why didn't he give up? What snakes have you had to comb out? What wise practices have you learned from prior collaborations that assist you with combing the snakes out?

Combing the Snakes Out of Atotarho's Hair⁹⁴

Accompanied by Chiefs of the Mohawk Nation, Deganawidah (the Peacemaker) and Hiawatha first approached the Oneidas, the People of the Standing Stone, whom they had little difficulty in persuading to accept the Great Peace sponsored by their powerful neighbors, the Mohawk. Beyond the Oneidas lay the Onondagas, but the paralyzing cry of Atotarho, "Hwe-do-ne-e-e-e-eh? When will this be?" forced them to leave the Onondagas, the People of the Hills, and pass on to the Great Pipe people, the Cayugas.

The mild-mannered Cayugas, always quick to help their fellow humans, and a little fearful at their own situation between such powerful peoples as the Onondagas and Senecas, were glad enough to take hold of the great peace, so now, with three new Nations at their back, Deganawidah and Hiawatha returned to the politically minded Onondagas, and were able to convince their chiefs (all but the Atotarho) that it would be well to join. Then, accompanied by the chiefs of four Nations, Mohawks, Oneidas, Onondagas, and the Cayugas, they carried the peace hymn to the Canandaigua Lake, where they persuaded the two branches of the people of the great hill, the Senecas, worn like an independent though they were, to compose their rivalries and enter the long house.

"Now," said Deganawidah, "we must seek the fire and look for the smoke of Atotarho. He alone stands across our path. His mind is twisted and there are seven crooks in his body. These must be straightened if the league is to endure." So Deganawidah returned to Onondaga lake and assembled the chiefs of five Nations in the woods beside it. "Come," said Deganawidah to Hiawatha, "thou and I alone shall go first to the Great Wizard. I shall sing the Peace Song and thou shalt explain the words of the law, holding the wampum in thy hand. If then we straighten his mind, the long house will be completed, and our work accomplished."

⁹² Ibid., 44.

⁹³ Ibid.

⁹⁴ Ibid., 59–64.

Accordingly, the two put their canoe into the lake and dipped their paddles. As they neared the middle of the lake, they heard the voice of capital Atotarho, "Asonke-ne-e-e-e-eh? Is it not yet?" "Truly," said Hiawatha, "the man is impatient." The wind blew and the waves struck angrily against the canoes as they heard Atotarho's cry rush out to meet them: "Asonke-ne-e-e-e-eh! Is it not yet!" But Deganawidah put his strength into his paddle, and in a few moments, they reached their canoe at what now is known as Hiawatha Point, on the east shore of the lake, climbed the bank and stood before the wizard.

"Behold!" said Hiawatha. "We two are come." "Who are you?" demanded Atotarho. "Hast thou not heard," responded Hiawatha, "of two who were to come to thee?" "I have heard," answered Atotarho, "that Hiawatha and Deganawidah were on their way." "Yea, truly," said Hiawatha, "and now we two are here." "I have waited a long time impatiently." "Thy impatience has caused our delay," said Hiawatha. Then, holding the strings of lake wampum in his hand, he continued: "These are the words of the Great Law. On these Words we shall build the House of Peace, the Longhouse, with five fires that is yet one household. These are the Words of Righteousness and Health and Power."

"What is this foolishness about houses and righteousness and health?" said Atotarho. Then Deganawidah spoke his message: "The Words we bring constitute the New Mind, which is the will of Tarachiawagon, the Holder of the Heavens. There shall be Righteousness when men desire justice, Health when men obey reason, Power when men except the Great Law. These things shall be given form in the Longhouse, Kanonsioanni, where five Nations shall live in quiet as one family. At this very place, Atotarho, where the chiefs of five Nations will assemble, I shall plant the Great Tree of Peace, and its root shall extend to far places of the earth so that all mankind may have the shelter of the Great Law."

Atotarho said, "What is that to me?" "Thou thyself," said Deganawidah, "shalt tend the Council Fire of the Five Nations, the Fire That Never Dies. And the smoke of that fire shall reach the sky and be seen of all men." "Who shall bring this about?" asked Atotarho. "Thou shalt, if thou desires it. Thou shalt be the Head Chief of the Five Nations." "Of course, I desire this thing," said Atotarho, "if there be anything in it. But thou art a dreamer. Where is power to bring it to pass? Asonke-ne-e-e-e-eh! It is not yet!"

At that Hiawatha and Deganawidah returned as they had come across the lake to where the chiefs were waiting for them on the far shore. "Make haste," said Deganawidah. "This is the time!" They all put their canoes into the lake and paddled across. As they neared the middle, they heard the voice of Atotarho rush out to meet them, crying, "Asonke-ne-e-e-e-eh! It is not yet!" The wind lifted the waves against the canoes, but they put their strength into their paddles and, before the voice had died away, they stood before Atotarho. "Behold!" said

Deganawidah. “Here is power. These are the Five Nations. Their strength is greater than thy strength. But their voice shall be thy voice when thou speakest in council, and all men shall hear thee. This shall be thy strength in future: the will of a united people.” Then the mind of Atotarho was made straight, and Hiawatha combed the snakes out of his hair.

Deganawidah laid his hand on Atotarho’s body and said: “The work is finished. Thy mind is made straight; thy head is now combed; the seven crooks have been taken from thy body. Now thou, too, hast a New Mind. Thou shalt henceforth preside over the Council, and thou shalt strive in all ways to make reason and peaceful mind prevail. Thy voice shall be the voice of the Great Law. All men shall hear thee and find peace.” Then Deganawidah placed antlers on the heads of the chiefs in sign of their authority and gave them the Words of the Law.

The gathering and formation of the Six Nations has many similarities to gathering and forming a THWC team. As THWC judges, we are problem solvers as well. We gather to address problems. We council together. This coming together brings strength, more knowledge, and the ability to better address addiction in our communities. As THWC judges, we must work together to keep our teams together, to address any conflict that prevents us from being a strong union and call upon our team members to use their strength and skills together. Working with people dealing with addiction is hard, emotionally and spiritually. It can be overwhelming to take it on without the support of a team. And sometimes we must work together to address our own crooks in our bodies and snakes.

Questions to Think About

1. What did Deganawidah and Hiawatha do to bring people together?
2. How did they convince Atotarho to join them?
3. How do you work as a team to help heal the crooks and snakes in your participants? Are you missing anyone on your team that could help with this work?
4. What do you do to heal the crooks and snakes in your teams?
5. What wise practices do you learn from this story?
6. What indigenous stories from your Nation might help you learn wise practices about gathering and collaborating?

Leading a Team

An important wise practice as a leader, is to collaborate and delegate. As judges we cannot do everything by ourselves. We must depend on and trust our team members and allow them to fulfill their roles. As we discussed and learned in the preceding text, a team is stronger than an individual. The team's strength will increase as each team member is allowed to fulfill their role or purpose on the team. As you read the following story, "Thunder Boy and The Horned Snake," why does Hi`no, the leader, not do everything by himself? Can you identify all his helpers, or team members? How does he help them work together?

Thunder Boy and the Horned Snake—As Told by Perry Ground⁹⁵

This story happened a long time ago, back when the Great Turtle Island was new.

Hi`no, the Thunderer, had hurled down a tremendous rain storm upon the Turtle Island; the lakes and rivers had overflowed and the land was flooded. The Onkwehón:we were distressed because the waters wreaked havoc on their villages and fields, so Hi`no sent down one of his helpers, Hadenenodaon, to calm the waters and set things back in order.

As Ha-de-ne-no-da-on was passing over a Seneca village, he heard a terrible cry for help. Swooping down low, he found a young boy being carried away by the flood waters. Ha-de-ne-no-da-on recognized the boy, Gun-no-do-yah, as the son of the chief so decided to save him. The Thunder Spirit plucked the boy from the raging current only to discover that his parents are already been washed away in the torrent. Knowing he needed a new home, Ha-de-ne-no-da-on carried the boy into the sky and set him on a strong black cloud so he could dwell with the Thunder Beings.

Hi`-no soon returned from his work and discovered the boy in the clouds, grieving the loss of his parents. Hi`-no said "He is human and knows the paths of the earth, not of the clouds." So Hi`-no decided to adopt the boy and make him one of his Thunder Hunters. Hi`-no taught Gun-no-do-yah the ways of the Thunder Beings, making him very powerful, and gave him a strong bow and arrows of magic. When the boy was ready, Hi`-no said "I need you to do a great service for me. In the lakes and rivers of the earth, there are terrible monsters that dwell. They are evil, man-devouring sorcerers who take on the shape of huge horned serpents to commit their unspeakable acts." Hi`-no continued "Their leader is a human monster that my Thunder Hunters cannot find because they are not of the earth. But Gun-no-do-yah, having been human, you can follow the trails on earth and slay the beast." Gun-no-do-yah was afraid but

⁹⁵ Ground, Perry (Onondaga), 2020. "Thunder Boy and the Horned Snake," Facebook, April 10, retrieved on October 9, 2023, <https://www.facebook.com/TalkingTurtleStories/posts/677754569650876>.

wanted to show his gratitude to the Thunder Beings for saving his life. So, he followed Hi`-no's black clouds (Thunder Spies) back to the earth and began to scour the lakes and rivers. For many months, he searched in vain until only one lake remained. "Oniatari:io (Lake Ontario in Mohawk, meaning Beautiful Lake) is deep and wide but must be where I will find this terrible serpent," said Gun-no-do-yah.

As he stealthily approached the lake, hidden by more dark clouds, he saw a great and powerful tail thrashing the water near the shore. It was the great monster devouring one of its prey! Gun-no-do-yah drew his bow and fired one of his powerful arrows to slay the beast. But just as it was about to hit its mark, the beast vanished, leaving only the foaming water for the arrow to find. Day after day, Gun-no-do-yah hunted for the terrible snake but his arrows fell harmlessly into the water when the monster would disappear.

One night, while the Thunderers created a savage storm over Oniatari:io, Gun-no-do-yah found his foe near the shore. He boldly went into the water and prepared his bow. But the hideous creature beckoned him to come closer ... and then began to speak! "Do not fear me Gun-no-do-yah, as I do not fear you," said the human sorcerer in serpent form. "Your strong arrows cannot reach me. Hi`-no gave you strength but I do not fear him either; his lightning bolts never find me. So, your task is useless."

Then the serpent tried to cast his evil spell on the boy. "I should be your friend. I can teach you about all the secrets of the waters. You are of this earth, not the clouds. Come with me to my home in the under the water where you will have all you could ever want." The monstrous serpent rose up in front of Gun-no-do-yah, weaving back and forth in a hypnotic way, further casting his spell.

The boy went deeper into the water and reached out for his bow and arrows—he had come to kill the beast, not be cast under its spell!! He drew his bow with all his strength, to ensure the arrow reached its intended target, but the bow string snapped! The arrow fell dead and harmless into the foaming water. Gun-no-do-yah was powerless in the water and tried to run to the shore. His legs churned as the waves rose higher but he could make no progress to safety. The Sorcerer, in its guise as a Horned Serpent, swam around and around the boy, thrashing its tail and whipping the water into a frothing, crashing tumult. Then, as the boy weakened in the pounding waves, the malevolent Serpent raised its monstrous head, opened its hissing mouth, barred its fangs dripping with venom...and seized Gun-no-do-yah!!! The creature dove under the water and carried the Thunder Hunter down to the bottom of the lake. Entering its lair, the Serpent tossed Gun-no-do-yah onto the floor. Raising its head once again, the monster struck with lightning quickness and swallowed the boy whole!!!

In the clouds, Hi`-no was sleeping when suddenly Gun-no-do-yah appeared to him in a dream. He told Hi`-no how he had found the serpent in Oniatari:io, how he had battled the creature, and that he had been devoured. Hi`-no snapped awake, anguished over the loss of his adopted boy, and called out for his Thunder Helpers. He was determined to save Gun-no-do-yah!! He sent his Helpers to the Beautiful Lake to flush the Sorcerer from his lair. Diligently they searched each cave and crevice, knowing they were defenseless while under the water, until they came upon the sleeping beast. Casting weak lightning bolts toward it, the Thunder Helpers woke the monster and then hurried to the surface of the water. The Serpent gave chase, hoping to destroy his mortal enemies. But at the surface of the water, where the snake expected to find its next meal, the Serpent was met by Hi`-no himself, standing astride one of his storm clouds!! Lightning boomed and rained down on the evil snake in a tremendous cascade, greater than any storm before or since. The Horned Serpent writhed and hissed in agony until finally one last thunderous bolt of Hi`-no's power crashed down...and the monster was slain. Quickly, Hi`-no cut open the snake's belly and drew out the still-living Gun-no-do-yah. The Thunder Beings rejoiced that they had saved their adopted brother!! Hi`-no took the boy back to the clouds as one of his aides but would never permit him to return to the Turtle Island. Today, when lightning darts across Lake Ontario as the waves twist under a storm, the Haudenosaunee whisper "Gun-no-do-yah is chasing the snake!" Da-neh-Ho!

The story of Thunderboy and the Horned Snake, teach us of the importance of working together. Note the similarities to a THWC in the story. Hi`-no does not help the boy, Gun-no-do-ya, alone. Ha-de-ne-no-da-on originally rescued him and then Hi`-no teaches him how to be a Thunder Being. But when Gun-no-do-ya gets into trouble with the Horned Snake, Hi`-no could not save Gun-no-do-yah by himself. Despite having learned to be a powerful leader, he needed help. He needed the Thunder Helpers assistance to locate and draw out the Horned Snake. Only when the Horned Snake was brought to Hi`-no by the Thunder Helpers, Hi`-no was able is able to slay the Horned Snake and rescue Gun-no-do-ya. Working alone, Gun-no-do-ya would never have been rescued. Many of our participants face horned snakes, such as addiction and mental health.

Questions to Think About

1. How did Hi`-no work with the Thunder Beings?
2. How did the Thunder Beings work with Gun-no-do-ya?
3. What would have happened if Hi`-no tried to do everything?
4. What wise practices do you learn from this story?
5. What traditional stories from your Nation teach wise practices about how to work together with a team?
6. How can you implement these wise practices?

Recognizing and Acknowledging Others' Strengths

As judicial leaders, we need teams to help us, and as we work closely with our teams, we get to know each other's strengths. Sometimes new team members show up and they might not be trained or have the skills needed to work with THWC participants. A potential partner's strengths may not always be obvious to everyone. Do we turn them away, like Bear in the following story? Or are we more like Eagle and see their current strengths and help them adapt? How did the Bear in the second story miscalculate the Turtle? Remember how we discussed the importance of truly seeing people. As you read these stories, think about why sometimes we misjudge team members and participants.

The Ball Game between the Birds and Animals (Cherokee)⁹⁶

In the ancient times, the four-legged animals of the forest had one of the toughest ball teams in the land. Mountain Lion, Wolf, Fox, Bobcat, and Deer were all members of the team. The captain of the team was Bear. Bear was very boastful. "No team in the land can beat us," Bear would often say. The birds of the sky also had a very good team. Their captain was Eagle. The other winged creatures included Hawk, Falcon, Raven, Crow, Kingfisher, and swift little Hummingbird. One day it was decided that these two teams should play a game.

The night before the game, both teams had a great dance. As the four-legged team prepared for their party, two little creatures approached Bear. "We would also like to play," the two little ones said. May we join your team?" "Ha, look at the size of you!" laughed Bear. "How could you ever help my team?" "We may be small, but we will try very hard," the little creatures replied. "Go away," Bear growled. "We have no time for creatures as small and weak as you!"

With their heads hung low, the two creatures walked away. But they did not give up. They went to the place where Eagle's team was dancing. "Can we join your team?" they asked Eagle. "Anyone who wants to play and can fly is welcome to join us," Eagle said. "But we do not have any wings," said one of the little creatures. "We can help with that," Eagle replied. Then Eagle turned to Kingfisher with his sharp scissor-like beak. "Take our old drums," Eagle said, "and cut out some wings for these creatures." Kingfisher did as Eagle said. He cut out one pair of leather wings and attached them to the first of the little creatures. "Now," Eagle said, "try to fly." Standing on the branch of a tree, the little creature jumped up, flapped its new wings, and began to fly. "Thank you," said the little creature, who is now known as Bat. "these wings work very well."

⁹⁶ Bruchac, James, and Joseph Bruchac, *The Girl Who Helped Thunder and Other Native American Folktales* (New York: Sterling Publishing Company, 2008), 19–21.

Now it was time to help the second of the little creatures. But there was not enough leather for another set of wings. “Do not worry,” Eagle said. “We will do this another way.” Eagle called over Hawk and Raven. Grabbing hold of the second little creature, they pulled hard on each of his sides, stretching his skin out as far as it would go. Then Hawk carried the little creature to the top of a tall tree. “Now jump,” said Hawk. Stretching out his legs, the little creature jumped off the branch and glided through the air. That little one, now known as Flying Squirrel, scampered to the top of the pine, leaped off, and glided through the air to another tree. “Thank you for our wings,” said Bat and Flying Squirrel. “Now we are ready to play ball.”

The next day both teams gathered for the big game. As soon as the game started, Bear grabbed the ball and ran down the field to make the first goal. “I told you this would be easy!” Bear laughed. But when the game began again, Hawk got the ball and threw it to Eagle, who soared past Wolf to score the first goal for the birds. So it went, back and forth all day. As the day was drawing to a close, the game was tied. The sun was about to set. The team that scored next would win. Eagle looked at his team. Everyone was tired—except for Bat and Flying Squirrel, who had not touched the ball.

When play began again, Deer got the ball and raced toward the goal. The birds were so worn out they could not keep up. All seemed lost. Then, out of the trees glided Flying Squirrel. He grabbed the ball from Deer and passed it to Bat. Small as he was, Bat was a great flyer. Darting up and down, back and forth, he passed Rabbit, Wolf, Mountain Lion, and Bear. As the birds all cheered, Bat carried the ball in for the final goal. The birds had won the game!

To this day, as evening draws to a close, you may still see Bat darting his way through the night or Flying Squirrel gliding from tree to tree. Still rejoicing in their gifts of flight, they are both always ready to play another game.

Questions to Think About

1. What allowed the Eagle to accept the two little creatures?
2. How did the team work together to help the two little creatures become part of the team?
3. What wise practices do you learn from this story?
4. How do you convey to others that you see their strengths?
5. How do you help team members improve current strengths and learn new ones?
6. What wise practices do you learn from your Nation’s traditional stories about how to value people and include them as part of your team?
7. How can you implement these practices?

*Turtle's Race with Bear*⁹⁷

It was an early winter, cold enough so that the ice had frozen on all the ponds and Bear, who had not yet learned in those days that it was wiser to sleep through the White Season, grumbled as he walked through the woods. Perhaps he was remembering a trick another animal had played on him, perhaps he was just not in a good mood. It happened that he came to the edge of a great pond and saw Turtle there with his head sticking out of the ice. "Hah," shouted Bear, not even giving his old friend a greeting. "What are you looking at, Slow One?" Turtle looked Bear. "Why do you call me slow?" Bear snorted. "You are the slowest of the animals. If I were to race you, I would leave you far behind." Perhaps Bear never heard of Turtle's big race with Beaver and perhaps Bear did not remember that Turtle, like Coyote, is an animal whose greatest speed is in his wits. "My friend," Turtle said, "let us have a race to see who is the swiftest." "All right," said Bear. "Where will we race?" "We will race here at this pond and the race will be tomorrow morning when the sun is the width of one hand above the horizon. You will run along the banks of the pond and I will swim in the water." "How can that be?" Bear said. "There is ice all over the pond." "We will do it this way," said Turtle. "I will make holes in the ice along the side of the pond and swim under the water to each hole and stick my head out when I reach it." "I agree," said Bear. "Tomorrow we will race."

When the next day came, many of the other animals had gathered to watch. They lined the banks of the great pond and watched Bear as he rolled in the snow and jumped up and down making himself ready. Finally, just as the sun was a hand's width in the sky, Turtle's head popped out of the hole in the ice at the starting line. "Bear," he called, "I am ready."

Bear walked quickly to the starting place and as soon as the signal was given, he rushed forward, snow flying from his feet and his breath making great white clouds above his head. Turtle's head disappeared in the first hole and then in almost no time at all reappeared from the next hole, far ahead of Bear. "Here I am, Bear," Turtle called. "Catch up to me!" And then he was gone again. Bear was astonished and ran even faster. But before he could reach the next hole, he saw Turtle's green head pop out of it. "Here I am, Bear," Turtle called again. "Catch up to me!"

Now bear began to run in earnest. His sides were puffing in and out as he ran and his eyes were becoming bloodshot, but it was no use.

⁹⁷ Bruchac, Joseph, *Iroquois Stories, Heroes and Heroines, Monsters and Magic* (New York: The Crossing Press 1986), 51-53.

Each time, long before he would reach each of the holes, the ugly green head of Turtle would be there ahead of him, calling him to catch up! When Bear finally reached the finish line, he was barely able to crawl. Turtle was waiting there for him, surrounded by all the other animals. Bear had lost the race. He dragged himself home in disgrace, so tired that he fell asleep as soon as he reached his home. He was so tired that he slept until the warm breath of the Spring came to the woods again.

It was not long after Bear and all the other animals had left the pond that Turtle tapped on the ice with one long claw. At his signal a dozen ugly heads just like his popped up from the holes all along the edge of the pond. It was Turtle's cousins and brothers, all of whom looked just like him! "My relatives," Turtle said, "I wish to thank you. Today we have shown Bear that it does not pay to call other people names. We have taught him a good lesson." Turtle smiled and a dozen other turtles, all just like him, smiled back. "And we have shown the other animals," Turtle said, "that Turtles are not the slowest of the animals."

Questions to Think About

1. Why did the Bear misjudge the Turtle?
2. What wise practices do you learn from Turtle's use of teamwork?
3. Although the Turtle uses a little trickery to defeat Bear, how have you and your team worked together to help participants learn lessons about recovery?
4. What would happen if you had to help participants learn these lessons without your team?
5. Are there stories from your Nation that teach similar wise practices?
6. How can you implement these wise practices?

Concluding Questions

1. In the stories, did the characters have a share vision and/or mission? What were they?
2. What is your shared mission and/vision? Does it reflect your team's work?
3. What wise practices about bringing people together and leadership have you learned from these stories?
4. What wise practices do you want to share with your team?
5. What wise practices do you learn from Indigenous stories in your community about creating and maintaining teams?
6. What wise practices do you learn from your Indigenous stories about working together and Nation-building?
7. How can you implement these practices?

Chapter 5: Key Component #2 - Referral Points and Legal Process

Participants enter THWC through various referral points and legal processes that promote tribal sovereignty and the participant's due (fair) process rights.⁹⁸

This key component acknowledges and encompasses the sovereignty of Indian Nations. As sovereign Nations, you have the ability and power to create a THWC with various referral points and legal processes that best fits your Nation, protects participants' due process rights, while incorporating appropriate cultural components. Referral points, or agencies and programs, that can refer participants, must fit your Nation's exercise of criminal jurisdiction and legal infrastructure, or you can create new legal infrastructure with codes and policies and procedures.⁹⁹ As a judicial leader you must understand the Nation's current exercise of criminal jurisdiction, which is impacted by Federal law, in addition to your Nation's constitution, laws, and governing structure and while also thinking about how participants navigate the criminal justice system. This knowledge will help you design, revise, and implement referral points, possibly with outside jurisdictions as partners. For example, at the Saint Regis Mohawk Tribal Courts, the Tribe is currently not exercising criminal jurisdiction. Thus, the prior Chief Judge designed a THWC that partners with the local Town Court to refer prospective participants who are charged with misdemeanors. The FTC accepts parents whose cases are pending in Family County Court. These are both important referral points.

Participant's Due Process Rights and Referral Points

The THWC legal process must protect the prospective participants' due process rights, in other words it must be an equal and fair process. This includes making sure the participants understand their rights, the rights they are giving up by entering into a THWC, the phased process, the use of sanctions and incentives, the frequent drug testing, and being subject to home visits and searches, and that everyone is treated equally. Although the process must protect the participants' due process rights, it should also move quickly, to place the participant in THWC and provide the support needed to avoid new charges. Although we often think of the defense attorney as the protector of the participants' rights, as the team leader and judicial leader, we must be checking in with team members to determine when and how a participant's rights and the legal process are explained to participants. And the judge should review the process and obtain waivers to any rights from the bench, so it is on the record. The judge also needs to educate non-legal team members. They also need to understand the participants' rights, so they understand why participants are allowed to have hearings for sanctions and termination, that participants are waiving certain rights to participate, and that participants are giving consent to the sharing of information.

⁹⁸ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 6.

⁹⁹ *Ibid.*, 6–7.

The following is a story to help us think about protecting due process rights through referral points. It can be a challenge for the team to work together on referral points and protection of participants' rights. In the story of Okwari Kowa, note what the first man does to understand the problem. He climbs a hill so that he can have a better view of the problem. Once Okwari is identified as the problem, three brothers work together to tackle this problem. These three leaders, continue to change their approach to keep their people safe from Okwari Kowa. Similarly, judicial leaders must continually assess if the current referrals points are working in the battle against addiction. Do people know and understand the process? Do the right agencies know they can refer people? Does the process need to be adapted to include more organizations? It can be a long, never-ending chase, determining the right referral points. But similar to the three brothers, we must follow the process and not give up.

*Okwari Kowa—As Told by Perry Ground*¹⁰⁰

Okwari Kowa (If you don't know the meaning of these Mohawk words, you'll need to read the entire story to find out what this title means in English):

This story happened a long time ago, back when the Great Turtle Island was new.

One day a Haudenosaunee man was out hunting. The game was scarce and his people were becoming very hungry. The man had gone far from his village in hopes of finding food for his family. As he stalked quietly through the forest, he came upon an opening in the trees; it looked as if a Flying Head had knocked down many of the trees. The path of broken trees led back toward the man's village. He started to walk down this path when he suddenly stumbled into a depression in the ground. He looked around and saw more of these depressions in the forest floor but from where he stood, the man could not figure out what they were. He ran up a nearby hill to have a better view. But when he turned to look, his heart nearly stopped with fear!

He looked and saw that the depression in the ground was a giant Bear print!! The man could hardly imagine how big a bear must be to make such a print; it would need to be taller than the trees! He now knew it wasn't a Flying Head that had knocked down the trees but rather this monster bear. The man ran back to his village as fast as he could and told all the people what he had seen. That night, just as the sun was setting, they heard the grunting of a bear coming toward their village. That

¹⁰⁰ Ground, Perry (Onondaga), 2018. "Okwari Kowa," Facebook, September 20, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10209654912928774>.

grunting got louder and louder as the bear came closer, searching for food. There was a banging on the palisade wall and the bear let out a deafening roar!! The people were terrified, knowing that Okwari Kowa was trying to get into the village to devour them. All night the bear grunted and roared and the people could not sleep at all.

The next morning, the people gathered in a council to decide what to do about Okwari Kowa. The men decided to form a war party and go out to kill the Great Bear. They took up their bows and arrows and spears and war clubs; all the men of the village joined the war party to protect their village. They set off into the woods, following the tracks of the monster bear. The war party soon came to the lair of the bear; the trees were all knocked down and the bones of the animals and people he had eaten were scattered about the forest floor. The men crept across the bear's den, holding their weapons at the ready. They almost reached the far side of his lair and started to think they had scared the Great Bear away with such a large war party. The forest was silent and there was no trace of the beast. The men turned to return home.

Suddenly, there was a loud roar, and the Great Bear came crashing through the trees!! The Bear had been lying in waiting and he attacked the men with great fury. The men were terrified but tried to fight back against the raging claws and snapping teeth of the bear. They shot their arrows only to see them bounce off the fur of the monster. Their spears and war clubs had no effect on the terrible creature either. The Great Bear tore through the war party leaving bodies slashed and torn all around his lair; the bear knocked down trees as he chased and stomped on the men trying to take cover in the forest. Finally, when only a small group of men remained, they called for a retreat. The few men staggered back to their village, bruised and battered by the Great Bear and sad to have lost so many friends and family members. They told the women and elders what had happened and everyone feared that the Great Bear would come to attack their village.

So that night, the villagers built up their fires and fanned the flames all night. They could hear Okwari Kowa (the Great Bear) searching for food just outside their palisade. He butted the wall with his shoulder but didn't yet try to break into the village. But the villagers knew that if the bear became hungry enough, even their huge fires wouldn't be enough to keep Okwari Kowa away. Later that night, three brothers laid down to try to sleep. After fighting the Great Bear, they were exhausted and fell fast asleep. During the night, the eldest brother had a dream that the three of them had chased the Great Bear and driven him away. When he awoke, he shared his dream with his brothers. They were stunned!

Because both of them had had the same dream! "Powerful things come in threes," said the oldest brother, "so this dream may be true. But let us sleep another night to see if we have the dream again." That night the villagers built up the fires again and then the brothers laid down to sleep.

In the morning, the three brothers compared dreams and, once again, they all had dreamed the same thing. "You were carrying your bow and arrow," said the middle brother to the oldest. "I had my war club and you had your spear," said the youngest to his brother. They agreed the dream was very powerful but they thought they should sleep one more night to see if the dream happened a third time. That night, even with the fires built as high as possible, Okwari Kowa came back to the village. He roared and grunted; he crashed against the palisade wall making it nearly tumble over. All night the people were afraid that the Great Bear would get into the village and devour them all!

Just as Elder Brother (the Sun) rose over the horizon the next morning, the Great Bear turned away from the village and went back to his den. Inside the village, the three brothers awoke and came out of the longhouse. The oldest brother had his bow and a quiver of arrows, the middle brother had his spear and the youngest carried his war club...they had all had the same dream again. "We have had the dream three times and powerful things come in threes," said the Oldest Brother. "I know we can drive that monster bear away and save our people." So the brothers set off into the forest to face the Great Bear. When they reached his lair, they saw the bodies of their friends and family members still scattered around the forest floor. At the far end of the clearing, Okwari Kowa was chewing on the bones of one of the men he had killed. The brothers were afraid but moved bravely forward to face the monster. The Great Bear turned and saw them coming. The Bear let out a roar that turned into a laugh! "Only three foolish men come to attack me," said the Bear. "I will crush you and gnaw on your bones for a morning snack!" The Great Bear stood up to his full height and was taller than the trees!! He let out another roar and rushed forward to attack!!

The three brothers were very afraid but held their ground. The Oldest Brother drew his bow and let loose an arrow. The Middle Brother threw his spear as hard as he could. Youngest Brother launched his war club. All three stuck Okwari Kowa!! And for the first time in his life, the Great Bear felt pain! The arrow had pierced his skin—so had the spear. The war club had struck his shoulder and now Okwari Kowa started to become afraid. He plucked out the arrow and the spear and kicked away the war club but the brothers ran forward and launched their weapons again. Once more, the Great Bear felt pain! He pulled out the arrow and

the spear again then turned and ran away into the forest. The Three Brothers collected their weapons and were glad the Bear was gone.

But the Oldest Brother said, "That Great Bear may be wounded but now he is angry. I think we need to chase after him to make sure he doesn't come back to threaten our village." The other two brothers agreed. They took up their weapons and started after the Great Bear. They soon found him waiting atop a small hill. The Brothers rushed at the bear as he rose up and let out another great roar! The Oldest shot his arrow, the Middle threw his spear, the Youngest hurled his war club and again Okwari Kowa felt pain and fear as the weapons pierced his skin. The Bear plucked out the offending arrow and spear and turned west to run further away. As the brothers collected their things, the Middle Brother said, "I think that Bear is not killed. We must continue to chase him to make sure he never comes back!" So, the brothers set off again after the bear. After days of chasing, they came to a wide river; the Great Bear was pacing along the shore, looking for a way across. "Now we have him," said the Oldest.

But when the Bear saw the brothers, he turned and ran toward the river. Just as he reached the edge, Okwari Kowa leapt into the air and flew all the way across the water. He landed on a wide open plain of grass and continued to run west. The brothers were happy that the Great Bear was gone but the Youngest Brother said, "He is not dead and could always come back; we need to continue after him. If that Bear can jump the river, then so can we! Our magic is powerful!" So, the brothers ran toward the river, leapt into the air, and flew to the other side.

They resumed their chase of Okwari Kowa. That bear kept running through forests, over rivers, knocking down mountains, over great canyons afraid the brothers would catch him. But every time the Bear jumped or climbed or knocked something down, the brothers did the same thing and stayed right behind him. After many days, the Bear came to a wide beach and looked out at a great wide ocean of water. He had nowhere left to run. The brothers followed the Bear onto the beach. "We have him now!" shouted the Oldest as he drew back his bow.

The Great Bear turned and ran toward the ocean as fast as he could. When he reached the edge of the water, Okwari Kowa leapt into the air and ran up into the sky!! The brothers couldn't believe their eyes! They went down to the shore as the Bear ran higher and higher into the sky. "Finally, Okwari Kowa is gone," said Middle Brother. "But he could come back," said the Youngest. "We need to chase after him. If he can run into the sky, then so can we!" So the brothers backed up, ran toward the

ocean, and leapt into the sky also! They chased after the Bear as he went higher and higher. We can still see them chasing after the Bear as he runs across the nighttime sky. Many people call this constellation of stars The Big Dipper but Haudenosaunee call it Okwari Kowa, the Great Bear. After some time had passed, winter was approaching and the Bear needed to lay down to sleep.

So Okwari Kowa started to look for a place to sleep his winter sleep. He circled closer and closer to the Turtle Island looking for a cave to lie down in. As his circles got smaller, the Three Brothers got closer to the Great Bear. Soon, they were close enough to attack again. So the Oldest Brother shot an arrow, Middle Brother threw his spear, and Youngest hurled his war club. When these weapons struck the Bear, he began to bleed and some of his fat dripped from the wound. These rained down on the Turtle Island and fell on the leaves of the trees, turning them bright red, orange and yellow. Then Okwari Kowa found a cave and laid down to sleep; the Brothers made camp for the Winter also. But the next Spring, the Great Bear was healed and leapt back into the sky. The Brothers saw him and knew they had to resume their chase. To this day, we see them chasing the Bear across the sky; each Fall, they get close to the Bear and launch another attack. According to the Haudenosaunee, this is why the leaves change color each year. And we wait for Spring to come to see them continue their chase of the Monster Bear to ensure that he never returns to bother the People ever again. Da-neh-Ho!!

Questions to Think About

1. How did the Brothers work together to develop the plan to work together to kill the Great Bear?
2. What might have happened if they did not work together?
3. Why did the Brothers keep chasing the Great Bear?
4. Have you ever felt like you chasing a problem or solution with your team?
5. What did you do to feel successful?
6. What wise practices about referral points do you learn from this story?
7. What traditional stories from your Nation teaches you wise practices about referral points and due process?

Communication and Referral Points

In the following story, Turtle needs assistance getting to the South. He has difficulty communicating with his helpers. The referral process is often one of the most confusing processes in THWC. It is necessary to have clear referral procedures and the team, referral organizations, and potential participants must be able to understand

them. What can we learn from this story about the need for clear directions about the referral process into THWC?

*Turtle Flies South for the Winter—As Told by Perry Ground*¹⁰¹

This story happened a long time ago, back when the Great Turtle Island was new. It was the time for the seasons to change—the leaves had fallen from the trees, the squirrel had gathered food for his winter nest, there was a chill in the air and the days were growing shorter. Everyone was preparing for winter but there was one animal that was very sad about the coming of the Frost Spirit...the Turtle. He was always cold and hungry during the winter and preferred the summer months. On his pond, many geese had gathered to prepare to fly south. Turtle was sitting near his pond when he heard all the geese talking excitedly—HONK!! HONK!! HONK!!—because geese can be very loud. "What is happening?" he asked out of curiosity. The geese answered. "We are getting ready to fly south for the Winter." Turtle was puzzled; "South?? South?!?" he questioned. "What is this South place that you are talking about?" The birds explained that in the South there was no snow, it was always summer, and there was plenty for everyone to eat. Turtle couldn't believe his ears! This sounded like a wonderful place! So, Turtle asked, "Can I go South with you Geese?" But the geese laughed and said, "Turtle we are going to FLY south for the Winter. And you can't fly!" But Turtle begged and begged to go. "Please take me with you. Please let me go South. PLEASE think of a way I can fly with you!!!" The Geese finally agreed...just to get Turtle to be quiet. So then they had to think of a way to take Turtle with them. One of the geese had a good idea; "Turtle can you hold onto a stick with your strong jaws?" he asked. Turtle nodded and said, "Oh yes, once I bite down on something, nothing can make me let go until I am ready." The Goose nodded and said, "Ok, here is a strong stick. You bite on and two geese will pick up the stick to carry you though air. Hold on tight AND you must keep your mouth closed until we get South."

Turtle wasn't sure about this plan but said, "I will hold on to that stick until we all get to the South!" So, Turtle took hold of the stick with his strong jaws and the geese picked up the ends of the stick. Then, the geese lifted off into the air, carrying the Turtle higher than he had ever been before. At first Turtle was nervous but after a while, he began to enjoy flying. He looked down and saw how small everything looked. He saw lots of snow...then less...then less...then, green grass! Oh, that grass looked fine. Next, he saw a lake with no ice on its surface. There were many nice,

¹⁰¹ Ground, Perry (Onondaga), 2019. "Turtle Flies South for the Winter," Facebook, December 24, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10212119818029861>.

delicious looking plants along the lakes' edge. Then he saw fishing leaping after all the bugs gathered near the surface of the water. Oh, they looked more delicious than the plants!! Everything was so green and alive....
"Why, it must be summer!! We must be South!!," thought Turtle.

He looked at the two geese carrying the stick and tried to get their attention. He wanted to ask if they were finally South but he couldn't talk with the stick in his mouth! So, Turtle rolled his eyes at the Geese...but they kept flying. Then Turtle waved his arms at the Geese...but they kept flying. Then Turtle shook his head and the stick...but the Geese kept on flying, not even looking in his direction.

Turtle was getting upset; these Geese didn't seem to think they were South and wouldn't even look at him. So, then Turtle tried to ask the Geese if they were South. He said, "Hey Geese, are we South yet?" But because he had a stick in his mouth, it sounded more like "HmmpH Geeeshe, rrwhhm ssoohh yeemph?" And the Geese kept on flying. So, Turtle yelled louder, "HMMPH GEESHE, RRWHHM SSOOHH?!?!?!?" But the Geese kept on flying. Turtle couldn't take it anymore so he opened his mouth and yelled, "Hey Geeeeeeeesssee." But he never finished his question because as soon as he opened his mouth, Turtle began to tumble toward the Earth. That Turtle sailed through the air like no Turtle had ever flown before! But as he approached the ground, Turtle got worried...the Geese hadn't taught him how to land!! So, he tucked his arms and legs and tail and head inside his shell.

Just then, the Turtle crashed into the ground and cracked his shell; he still has those cracks in his shell to this day. He bounced into the air and fell into the pond he had seen from above. Turtle sank to the bottom and nestled himself in the deep mud. It was nice and warm in the mud...just like in the South. There was no snow or ice in this pond...just like in the South! He found some worms and small minnows to eat so there was plenty of food...just like in the South!!! The Birds had been right, it was great to fly South for the Winter!!! So Turtle tucked himself into the mud and fell asleep. He was so content...Turtle slept all Winter long. And to this day, when Turtle sees the Birds headed South, he "flies" to the bottom of a pond, buries himself in the mud and sleeps until Spring. Turtle is still very happy to "Fly South" for the Winter!! Da-neh-Ho!!

Questions to Think About

1. How is the Turtle like some THWC potential participants?
2. What information might have helped the Turtle before he agreed to join the trip south?

3. How could the Geese and Turtle have communicated better?
4. What wise practices about communication and referral points do you learn from this story?
5. What traditional stories from your Nation teaches your wise practices about communication and referral points?

Designing and Revising Referral Points

Sometimes the referral process can lead to conflict within the team. Perhaps the referral process is too slow or too fast, frustrating some team members. What wise practices do you learn from the following story about being good neighbors or team members? What can you do as the judge to help? What wise practices do you currently have in place or can implement that help team members create a smooth referral process?

*Turtle's Race with Beaver*¹⁰²

This story happened a long time ago, back when the Great Turtle Island was new.

It was Springtime and Turtle Island was waking up from a long winter—plants were growing, birds were returning home, and the sap had run in the Maple trees. Animals were waking up from their winter slumber. At the bottom of a pond, buried in the mud, Ha'no:wa:h (Turtle) woke up and started to swim toward the surface. But as he was swimming, he realized the water was very deep...deeper than when he had gone to sleep. He kicked his arms and legs but he swam a long time.

When he finally reached the surface, Turtle looked around and saw that his pond had gotten much bigger and deeper; all the logs he liked to sun himself on were under water and the plants he liked to nibble were gone too. Turtle also saw a dam at the end of the pond; that's what was holding the water in and flooding all his favorite spots. WHAP! A very loud crack echoed around the pond as something smacked the water; it scared Turtle it was so loud. WHAP! He heard it again, except this time it was closer. Turtle turned to see a brown furry creature, with big teeth and a flat tail, swimming toward him. WHAP! Beaver smacked his tail against the water as he shouted, "What are you doing in MY pond?!?" Turtle was surprised; he replied "Your pond? I have lived here for years. This is my pond." Beaver snorted and barked back "Ha! Now it's mine because I built that dam and that's my house." Beaver pointed at a huge mound of sticks and mud in the middle of the pond. "Now, get out!" he roared.

¹⁰² Bruchac, *Iroquois Stories, Heroes and Heroines, Monsters and Magic*, 47–50.

Turtle was upset but did not want to give up his home. "I am going to knock down your dam and your house; then it will be my pond again!" he declared. WHAP!! Beaver slammed his tail down again! "You better not," yelled Beaver, "or I will gnaw your head right off!!" The two stared at each other for a long while and it seemed there was going to be trouble. But then Turtle had an idea. "Maybe we can settle this with a contest," he said. "The winner gets to stay here in the pond, the loser must leave." Beaver thought about this for a minute and then agreed. "But what will the contest be?," asked Beaver. The smart and crafty Turtle thought about this for a few minutes and replied "Let's have a race across the pond. We start here and finish at the big rock on the far side of the pond." Beaver was surprised that Turtle wanted to race because, like most other animals, he thought Turtle was terribly slow. Beaver agreed to race because he was sure he would win. "I will even give you a little head start," said Turtle. "I will start behind you; when you feel me nip your big tail, that will be the signal to go." Beaver thought he didn't need a head start against the slow Turtle, but he did want to keep the pond.

What Beaver did not know was how fast Turtle was with his mind! They lined up in the water and Turtle reached out his neck and gave Beaver's tail a little nip. Beaver took off across the pond, swimming as fast as he could. But Turtle was tricky! After he nipped Beaver's tail, he didn't let go! Beaver was swimming extremely fast but when he looked back, Turtle was right behind him. Beaver had no idea Turtle was so fast! Beaver tried going faster, kicking his arms and legs and making a huge splash in the water, but Turtle stayed right behind him.

Soon, they neared the far shore of the pond and Beaver could see the big rock; even though Turtle was right behind, Beaver thought he could still win the race! He kicked his arms and legs even faster when suddenly he felt a great, sharp pain in his tail!! Turtle had bit his tail!! "Yeooooowww!," he yelled and started to shake his tail. It felt heavy so he shook harder, but Turtle was holding on as tightly as he could. Then, Turtle bit as hard as he could and Beaver yelled "Ooooooh, my tail!!" Beaver flipped his tail high out of the water.

Turtle was waiting for just this moment. As Beaver shook his tail up, Turtle finally let go. And when he did, Turtle went flying through the air!!! He sailed all the way to the far side of the pond. He climbed out of the water and onto the big rock. Beaver came swimming up to the rock, nursing his sore tail, and was surprised to find Turtle already there. "How did you get here so fast? I never saw you pass me," asked Beaver. "Oh, I have been here awhile," lied Turtle. "You must have missed me while you were flapping your tail in MY pond!" Beaver felt badly that he had lost the

race but knew he had to go. He knocked down his dam and all the water poured out. Turtle had his pond back, just the way he liked it! (This is the traditional end to this story although I did read one version where Turtle gnaws off the head of the Beaver as his “prize.” What follows is my modern ending to this story, inspired by the Bruchac version.)

Beaver swam away feeling very sad; after a while, he came to another small pond. There were lots of trees that could be cut down for a home or a dam, lots of shrubs to eat, and plenty of space to swim around. Suddenly, a green head rose out of the water and, snapping her strong jaws, came right toward the Beaver! "Good morning, Mrs. Turtle," called out Beaver. "I was wondering if you would be willing to share your pond with me. If you let me build a dam, there will be lots to eat and good places to sun yourself." Mrs. Turtle thought about it for a minute. "That sounds good," she said. "It will be nice to have a new neighbor!" And that is how Turtle and Beaver learned to live in Peace with each other. Da-neh-Ho!

Questions to Think About

1. Do your team members ever argue like Turtle and Beaver? If yes, what is your response?
2. What did Beaver learn about working with others?
3. What wise practice do you learn about designing and revising referral points from this story?
4. What stories from your Nation teaches wise practices about working together to design and revise referral points?

When designing your THWC, choosing referral points is an important decision. We might be tempted to search for the perfect referral point and be reluctant to choose, for fear of making the wrong choice. Fortunately, unlike the following story, we can try different referral points and change by making changes to our policies and procedures. But what can you learn from the Buzzard in the following story about making decisions? And how might that apply to designing and implementing an THWC? How can we better lead our team in choosing referral points?

*How the Birds Got Their Feathers—As Told by Perry Ground*¹⁰³

This story happened a long time ago, back when the Great Turtle Island was new.

Back at this time, many of the animals looked very different than they do today—Bear had a long, beautiful tail; Raccoon didn't wear a mask; and the Birds...well, the birds were naked!! The Birds had been created without feathers, so it was not an easy time for them. When the sun was shining, they were too hot; when winter came, they were too cold. The Birds flew from tree to tree trying to make clothes out of leaves and bark and twigs. These clothes were not very nice so the Birds called a council to decide how they could get some clothing. They sent a message up to the Creator asking for help. The Creator heard the Birds' plea and took pity on them; he sent a message back to the Turtle Island that the Birds would receive clothing and that each would get their own suit of fine feathers. The Birds were very excited to hear this news!

The Birds were very happy to hear that they were going to get such fine clothes. The Creator gave instructions to send one Bird to the Sky World as a messenger. This Bird would bring the clothes back for all the other Birds. "Who can fly so far?" asked the Eagle; even though he could fly the highest, as Chief of the Birds, Eagle couldn't go because he had to stay with his people. Many birds wanted to volunteer but they were too small or too easily distracted. Finally, it was decided that Buzzard, with his very strong wings, would go to the Sky World to get all the clothing.

Buzzard was very proud to be selected to go and he set off. He flew and flew and flew but after a while became very hungry. In his excitement to be selected, he forgot to eat before he left. He searched for food but didn't see anything until he spied some rotting fish next to a pond. Buzzard was so hungry that he flew down to the rotting fish and started to eat. Yuck!...the fish tasted awful but at least Buzzard had something in his belly. He set off again but now Elder Brother (the Sun) was at his highest and the heat burned the top of Buzzard's head. But Buzzard was determined to get the clothing for all the birds so he kept flying. Finally, Buzzard arrived at the Sky World where the Creator greeted him. "Buzzard, you have done very well to come here. You were very determined and came for the benefit of all birds. Now, each Bird will have his own set of fine feathers to wear. But because you came all this way, you were brave and determined, first you get to choose which suit of feathers you want." Buzzard couldn't believe his

¹⁰³ Ground, Perry (Onondaga), 2019. "How the Birds Got Their Feathers," Facebook, May 2, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/1020894799776337>.

ears...he was going to be able to pick out the best suit of feathers for himself! The Creator showed Buzzard all the different suits of feathers. "You may try on each set of feathers and it will transform to fit your body," said the Creator. "BUT, you may try on each suit only once. If you don't keep it, that suit will go to another bird." Buzzard was very excited because there were feathers of all shapes, sizes, and colors and he was going to choose the best one.

As Buzzard started to look through all the different suits, he spied one that was all red feathers except for the black mask that came with it. Buzzard put this suit of feathers on and, sure enough, it fit him perfectly. Buzzard strutted around with these fine feathers but decided that a bird who could be a messenger to the Creator needed something even better, maybe one with many colors. So, he took off the suit of red feathers and later that suit went to the cardinal. Next Buzzard saw a suit with black and grey and white and red feathers; he tried it on but didn't think it was showy enough. He took that suit off and later it went to Robin.

Buzzard kept trying different suits of feathers but found something wrong with each one. The yellow and black one didn't have enough colors; that went to Goldfinch. The blue and white one was too plain; that one went to Bluebird. One suit had a green hood and a white ring and a splash of blue on the tail, but Buzzard didn't like that one either; later it went to the Mallard. He kept trying on all the different suits of feathers but wasn't satisfied with any one of them.

Finally, Buzzard tried on a suit that didn't quite fit; his burned head poked out, the legs were too short, and the feathers were very drab. Buzzard looked at himself and thought "Ugh, who would think me an important messenger in these ugly feathers?" He started to take off this suit when the Creator spoke up, "Buzzard, that is the last outfit that I have for the birds. You have tried on all the others and now that is the one that you must keep." Buzzard looked around and saw that all the suits of feathers were gone!

To this day, Buzzard still wears that suit of drab, dirty, brown feathers. And he has the taste for rotting things just like he ate on his long journey. He also likes to fly very high, close to the Sky World, to remember that he was the messenger for all the birds. And Buzzard has come to believe that his feathers are also very beautiful. Da-neh-Ho!

Questions to Think About

1. What do you learn from the Buzzard about designing and revising referral points?
2. Have you and your team discussed different referral points but discarded them? Would you reconsider them now?
3. What wise practices did you learn from this story about referral points?
4. What traditional stories from your Nation teach you about trying different referral points?

Concluding Questions

1. What wise practices have you learned from these stories about referral points and legal processes that promote tribal sovereignty and the participant's due process rights?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about referral points and legal processes?
4. As a judicial leader, how can you implement these practices to improve your referral processes?

Chapter 6: Key Component #3 - Screening and Eligibility

Eligible court-involved substance-abusing parents, guardians, juveniles, and adults are identified early through legal and clinical screening for eligibility and are promptly placed into the THWC.¹⁰⁴

This Key Component focuses on screening participants to determine if they are eligible for your THWC. It is linked to Key Component #2—Referral Points and Legal Process. Potential participants must be screened for eligibility as soon as they are referred to promptly place them into your THWC. When an event such as an arrest or detention, or the threat of removal or removal of a child, occurs it creates a window of opportunity for intervention and emphasizing the need for treatment.¹⁰⁵ “Prompt judicial action, taken after these traumatic events, uses this crisis period to stress the consequences of the substance-abusing behavior as well as the potential benefits of participating in Tribal Healing to Wellness Court.”¹⁰⁶ According to the Family Treatment Court Best Practice Standards, early identification, screening, and assessment “provides the greatest opportunity to fully meet the comprehensive needs of children, parents, and families affected by substance use disorders (SUDs) that come to the attention of the child welfare system.”¹⁰⁷ Thus, the prospective participant must be referred quickly and then screened quickly.

Two screenings must occur, a legal screening and a clinical screening. The legal screening determines whether the participant is legally eligible¹⁰⁸ for THWC, based on the target population criteria of the THWC.¹⁰⁹ The clinical screening determines if they are suitable to participate in the THWC with regard to their level of need and the availability of services.¹¹⁰ A clinical screening is not the same as a clinical assessment. A clinical assessment is conducted separate from a clinical screening. A clinical assessment determines the presence of a substance use disorder, the seriousness of the problem (high risk/high need), and whether other assessments are needed.¹¹¹ Prospective participants should have a clinical assessment prior to beginning THWC. They can be referred for the clinical assessment from the clinical screening if they have not already been referred. Prospective participants should be screened and assessed with validated assessment tools.¹¹²

¹⁰⁴ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 20.

¹⁰⁵ *Ibid.*

¹⁰⁶ *Ibid.*

¹⁰⁷ Family Treatment Court Best Practice Standards, 61.

¹⁰⁸ For a more detailed discussion of eligibility requirements, see THWC Key Component #3 and NADCP BP Target Populations.

¹⁰⁹ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 20.

¹¹⁰ *Ibid.*, 20–21.

¹¹¹ *Ibid.*, 21–22

¹¹² Center for Family Futures, Family Treatment Court Best Practice Standards, 61.

The judge typically does not see the participants until after they have been legally and clinically screened, determined to be eligible, and accepted into THWC. But it is the judge's role as a leader to understand the purpose of the screening processing and ensure an efficient screening process is developed and implemented. The judge must also lead the team in monitoring and evaluating the screening process to determine if it should be adjusted.

Prompt Screenings

The Stone Coat Woman teaches us the importance of being prepared and acting quickly to deal with addiction. We cannot kill addiction, like the hunter kills the Stone Giant. But we can be prepared and ready to act quickly to help others who are ravaged by addiction. The referral and screening process must happen quickly. We do not want to give the participants an opportunity to commit another offense or harm themselves further. As we quickly step in with screenings, and place participants into THWC, they are strengthened to learn how to live in recovery. As judges, we do not perform the assessments, but we must train and lead our team to be prepared to step in quickly. We must work with our team to develop, implement, understand, and revise when needed our THWC policies and procedures that support us, to quickly place people into THWC. What can we learn from the following story about being prepared to act quickly when harm occurs? What policies and procedures do you have in place to ensure your team steps in quickly with referrals and the two screenings? What are some action items you as the judge and leader can do to decrease the time it takes to place participants in your THWC?

The Stone Coat Woman—As Told by Perry Ground¹¹³

This story happened a long time ago, back when the Great Turtle Island was new.

It was hunting season and the Haudenosaunee were preparing to leave their villages to go to the seasonal camps. In those days, a wife would accompany her husband, to dress and prepare the game that he killed. One woman had a newborn child which she strapped to a cradleboard for the journey. When this small family arrived at a good hunting spot, the man quickly built a camp and the family settled in. The man was a skilled hunter and killed a lot of game. Each day, he would go in a different direction while the wife would go and collect the meat from the day before.

¹¹³ Ground, Perry (Onondaga), 2020. "The Stone Coat Woman," Facebook, September 27, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=798842750875390&id=172120836880921.

One evening, as she returned to the camp laden with game, the wife heard a woman's voice coming from their small lodge. She was surprised to hear another woman's voice so deep in the forest. But when she entered the cabin, surprise turned to terror...sitting and holding her baby was a Stone Giant Woman!! "Don't be afraid," said the Giantess. "I have run away from my homeland because I have a cruel and angry husband. May I stay with you and allow me to help you with your hunt?" The wife agreed as she took her child back into her own arms. "But my husband must agree to this as well," she cautioned. That night, when the husband returned, he asked what help the Stone Coat Woman could offer. So, the Giantess went out and killed two deer, a bear, and an elk and carried them back to the lodge. The hunter was overjoyed to have such help with his hunting and agreed that the Stone Giant Woman could stay. The next day, with the help of the Stone Giant Woman, was the most successful hunt the man had ever seen. They returned to the hunting lodge for a large feast. But as they sat down to eat, the Stone Giant Woman looked sad. "I have terrible news for you," she told the small family.

"My husband wants to kill me for running away. And he will surely come looking for me." The hunter and his wife were terrified to hear that a vicious, man-eating Stone Giant would be coming to their camp and they prepared to flee. "No, he will not be here for days. I will help you until he comes but then you must help me to defeat him." The hunter and his wife wondered how they could help defeat a Stone Coat. "When my husband arrives, we will have a terrible fight," said the Giantess. "He is very powerful and will throw me on the ground. As soon as he does, I will hold him in place. You must take a long pole, which we will cut in advance from a basswood tree and heat it red-hot on one end; as I hold him, drive that stake through his body and pierce his heart." The hunter and his wife were still very frightened but agreed to the plan of the Stone Giant Woman. Over the next two days, they prepared the basswood pole and a fire pit, while still going out on hunts that produced more game than ever before.

On the third day, the Stone Coat Woman said, "I hear my husband approaching; we must get ready!" A blaze was stoked in the fire pit and the basswood pole laid in it to heat. The ground trembled as the footsteps of the mighty Giant came closer and closer to the small camp. A tremendous roar, like the rushing of a whirlwind, swept over the camp as the trees on the edge of the clearing burst into splinters!! Then the Stone Giant stepped into the camp. "Who-whoa-ho!! The world is small, you cannot escape me!!" cried the Giant, walking toward his wife. The Stone Giant Woman whispered, "Be ready and do not be afraid," to her new

friends and then charged at her husband with a ferocity matched only by a mother bear protecting her cubs.

The two Giants locked arms in mortal combat and the forest shook under the power of their battle! The Stone Coats fought fiercely—trees were uprooted, boulders smashed to pebbles, and bushes and shrubs flattened into the ground. The battle raged until the Stone Giant scooped up a massive oak tree and wielded it like a club. He lashed out at his wife and knocked his weapon against her head. As she stumbled and recoiled from the devastating blow, the Giant picked her up and slammed her to the ground. He stood above her and made ready to kill her. But before he could deal the death blow, the Stone Coat Woman reached up and grabbed him by the waist. She pulled him down to the ground and cried out, “Now, my hunter friend! Run your spear through the back of his neck and deep into his heart!” The Stone Coat Woman pulled down on her husband’s head and exposed a soft spot on the back of his neck. The hunter rushed forward and rammed the basswood pole, still burning from the fire pit, into this tender area. This spear pierced the skin of the Giant and the carried through his body all the way to his heart. The Stone Giant fell over dead.

The Stone Giant Woman thanked the hunter and his wife for their help and their bravery. She stayed with them through the hunting season, each day bringing in as much game as four strong men would struggle to carry. When frost began to settle on the trees, the hunter and his wife prepared to return to their village with meat enough to feed their entire clan through the winter. The Stone Coat Woman bade them farewell saying, “Now that my husband is gone, I have nothing to fear in my own country.” She gave the hunter a piece of skin that had many hairs growing from it. “This is a special charm,” she instructed, “with hair from many different animals. When you wish to hunt, pluck one of the hairs and blow it into the wind. That animal will appear and you will always be successful in your hunt.” Then she bade them farewell and returned to her own people. The hunter was ever after successful when hunting and he shared his game with all the people of his village. Da-neh-Ho!

Questions to Think About

1. How did the hunter and his wife prepare so they could act quickly?
2. How are you and your team prepared so you can act quickly? Is there anything you need to work on?
3. How did the Stone Coat Woman thank the couple?
4. How does being prepared to act quickly benefit your team and participants?
5. What wise practices do you learn from this story?

6. What wise practices from your traditional stories do you learn about being prepared?

Preparation and Identifying Moments of Opportunity

In the story *The Horned Serpent Runs Away with a Girl*, it's the Son of Hi"no who is ready, waiting, prepared to help the young woman he loves. Note the young woman has many excuses that it is not the right time to marry. Many of our participants or prospective participants have the same reaction to the idea of seeking treatment, arguing it is always the wrong time, the wrong counselor, and that they will wait for the perfect time. Those of us that work with these participants, like the Son of Hi"no, know that something is wrong. As judges we must make sure we have the resources ready, referrals procedures and screenings, and be waiting at the top of a cliff when the opportunity presents itself. What do you learn about being prepared from the following story? Were there other opportunities for the Son of Hi"no to intervene? What do you learn from Son of Hi"no about not giving up? Have you identified all the opportunities that might present you with possible participants, such as potential eviction from a HUD home for drug use, a call to CPS by a social worker because a child is continually coming to school hungry and uncared for? How can you lead your team in identifying more opportunities to identify people and be ready to quickly step in and place them into THWC? What policies and procedures do you have in place to ensure that screenings happen after various referrals?

The Horned Serpent Runs Away with a Girl—As Told by Perry Ground¹¹⁴

This story happened a long time ago, back when the Great Turtle Island was new.

In a Haudenosaunee village lived an exceptionally beautiful young woman. All the men of the village, and all the men in neighboring villages, AND all the men of the nearby tribes...wanted to marry this young woman. They came to her lodge and offered many gifts, but the young woman always refused them. She always found something wrong with each man—too tall, too short, not a good hunter, clothes too shabby, hair too long, hair too short, big nose, big belly, too serious, too old, too young, bushy eyebrows, second toe longer than the big toe, etc., etc.—and told her mother that she was waiting for the perfect man. Even the Son of Hi"no came but was turned away (voice rumbled like thunder).

¹¹⁴ Ground, Perry (Onondaga), 2020. "Horned Serpent Runs Away with a Girl," Facebook, August 13, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=763981361028196&id=172120836880921.

One night, an unknown man came to the lodge. He was very handsome (although he had a long neck and beady eyes) and dressed in very fine clothing that had a black, diamond pattern done in porcupine quills running down the back. The outfit shone and glittered in the firelight and the girl was transfixed. He spoke with a gentle hiss and asked, "Will you come with me to my lodge and be my wife?" as he swayed back and forth in front of the beautiful woman. He reached for her hand and she immediately said "Yes, I will be your wife!" Her mother was shocked that the beautiful woman would agree to marry a stranger so quickly. The strange man took her hand, but the young woman said "I am not ready yet. Come back in three days and then we can be married." The strange man, who moved silently as a whisper, agreed and left the lodge.

The young woman spent the next three days making a fine wedding dress, adding black quillwork so her outfit would match her husband's. On the third day, the Son of Hi'no came to visit again. "I would like to marry you," he said. "Are you ready to be my wife and come live in the clouds?" This man was dressed in fine clothing and was the most handsome of the Thunderers but the young woman (whose eyes were glazed over and had a faraway look) said "No, I must marry another." The Son of Hi'no left the lodge but watched the young woman from a distance; he thought perhaps she had been witched!

That night, the strange man returned and took his new bride away. She wore the dress with the diamond pattern that shimmered in the moonlight as the couple made their way to a nearby lake. On a high cliff at the lake's edge, the strange man said, "We must go down there to my village and my people" as he pointed toward the bottom of the cliff. "It is very dark and I see no lodges," replied the young woman. But the strange man reached out and took the young woman by the waist. He began to slither down the steep cliff face as if he had climbed it hundreds of times before. But just above where the water met the cliff, the strange man pushed away from the rocks and the two of them dove into the water! Down, down into the depths swam the strange man, dragging the young woman with him. She thought she would drown as they went deeper.

Then, out of the darkness, she saw an opening at the bottom of the cliff. The strange man swam toward it and the woman could see it was a small lodge, with a set of strange horns above the door. They entered the dimly lit lodge. It was filled with many fine things, including beautiful clothing that shimmered like the strange man's outfit. "Look at all the fine clothing," said the man. "When you find a dress you like, put it on. Then we will be married, and you will meet my people." But the young woman

wanted to wear her own wedding dress. "NO!!" hissed the strange man, "You must wear the clothing of my people!" He swayed in front of her and stared into her eyes; after a few minutes, the woman agreed to wear the clothes. But she was becoming afraid; outside the lodge she could hear a strange hissing noise and the sound of something sliding over the grass. And there was a faint odor of fish to everything in the lodge. She laid down to sleep but was beginning to question her choice of husband. Meanwhile, back on shore, the Son of Hi"no saw the girl and the strange man dive into the water. He knew that something was terribly wrong and decided to wait at the cliff's edge for the woman he loved to return.

The next morning, the strange man told his bride-to-be that he must go away for a while. He instructed her to look at the outfits and find one that she wanted to wear for their wedding. After he left, the young woman looked over the clothing and found a very beautiful outfit that had a large swath of quillwork that matched the man's clothing; it shimmered in the faint light and she could not take her eyes off of it. It also had a small hood with small horns; the horns matched the ones above the door to the lodge. She held it up and saw that it would fit her perfectly. The young woman started to put on this beautiful outfit when she heard the strange slithering noise again. She smelled the strange fishy smell and hung the suit back up. Soon, the strange man came back and asked why she hadn't put on one of the outfits. "I found one that I like," she said and pointed toward it. "But I am afraid something evil will happen if I wear it." The strange man answered as he silently shook his head, "that is the one I hoped you would choose, please put it on so we can be married." But the young woman refused. The strange man left their lodge and she tried to follow him out the door. But when she looked out, she saw giant Horned Serpents everywhere! They were lying on rocks getting sun, they were sliding across the grass, and they were swimming through the water. Their horns were the same as the one above the lodge and she realized that the strange man was a Horned Serpent in disguise!! She knew if she put on the fine clothing, she would turn into a Horned Serpent also!! Just then, she saw one of the serpents coming toward the lodge.

She backed up into the house, but the beast slithered right through the door and stopped in front of her. The monster reared up its head, covered with the strange horns, and stared into her eyes. The young woman saw that the serpent's eyes were the same as her fiancée and the pattern of black scales matched his fine clothing. The serpent was weaving back and forth in front of her, staring deeper into her eyes. Forgetting where she was, the young woman thought more and more about the special outfit. She lifted the clothes and held them up in the firelight; they shimmered and shone like magic. The terrible Serpent smiled as she

started to put on the beautiful outfit...but then the horrible fishy smell washed over her and she threw the clothing onto the floor!! The Serpent rose, as if to strike, so the young woman ran toward the door. A powerful wave came and washed her back into the lodge and the Serpent came after her again! The young woman ran toward the door again but this time, as the wave came to push her back, she jumped upward and started to swim toward the surface; she had remembered that the strange man had brought her down under the water and her only escape would be back toward her own people. She swam and swam until she broke through the surface of the water. She was back at the base of the tall cliff. Suddenly, she heard another giant splash behind her and turned to see that the Serpent had followed her. With her remaining strength, the young woman began to climb the rocky cliff face. But the terrible Serpent was behind giving chase! She clambered up the rocks but the Serpent slithered over the rocks with ease. A loud, horrible hissing filled her ears as the creature moved directly behind her and grabbed her leg!! Its powerful body began to undulate back down the cliff, dragging the helpless woman toward her doom.

As they reached the water, a loud thunderclap boomed across the sky and a bolt of lightning sizzled through the air. It was the Son of Hi"no waiting atop the cliff for his lost love! To save the woman he loved, he had to destroy this terrible beast! He drew his bow and fired lightning bolt after lightning bolt, striking the beast and plunging it back into the water. Lightning bolts rained down until the Horned Serpent was dead and its body sank into the water. Then, Hi"no's Son lifted the young woman and carried her back to her village. There he asked, "Did you put on any dress the Serpent gave to you?" She answered, "I was tempted but refused to wear it." The Son of Hi"no was relieved, saying "If you had, you would have become a Horned Serpent but now you are safe and the spell that monster cast on you is broken." The grateful woman wrapped her arms around the hero and he said, "I would still like for you to be my wife." She looked at her rescuer and saw how handsome he was for the first time. The young woman went across the longhouse and prepared a basket of marriage bread; she gave that bread to Hi"no's Son who happily ate some. The two of them were then married and the young woman lived the rest of her life not finding something wrong or bad in people, but instead finding the good in people and all things in the world around her. Da-neh-Ho!

Questions to Think About

1. How do you help your team to be waiting at the top of a cliff to help others?
2. How do you help your team find the good in people?
3. What wise practices do you learn in this story about being prepared and identifying moments of opportunities?
4. What traditional stories from your Nation teach you wise practices about being prepared and identifying moments of opportunities?

Assessment and Proper Treatment

Sometimes our participants do not respond to treatment as well as we hoped. It is important they are screened and assessed correctly. Sometimes they may need to be assessed again if the treatment is not working. Or they may need to be screened and assessed for co-occurring disorders. In my experience, often participants are reluctant to be screened again. What can we learn from this story to help you, your team, and participants receive proper treatment?

The Story of Saratoga Springs (Healing Waters)—As Told by Perry Ground¹¹⁵

This story happened a long time ago, back when the Great Turtle Island was new.

It was Winter time in the Adirondack area, which was home to the Mohawk people. In one village lived a chief, Nekumonta, who was known to be very brave and very strong and very thoughtful of all the Mohawk people. But Nekumonta was very sad because a terrible plague had fallen on his village and many people were suffering. Day after day, wails of grief could be heard as another person died and began their journey on the spirit road.

The Bear Clan people, who knew the medicines had used up all the herbs and leaves and roots used to fight the sickness and could not get more until the snows melted and springtime arrived. Although the days were getting longer, a little warmer, a little more hopeful...Nekumonta could find no more medicine for his people. One day, after searching for medicines, Nekumonta came home to his lodge to find devastating news—his beloved wife, Shanewis, had fallen victim to the plague and was becoming more sick by the hour. Nekumonta was crushed with grief at the

¹¹⁵ Ground, Perry (Onondaga), 2019. “The Story of Saratoga Springs (Healing Waters),” Facebook, September 28, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10211585086141898>.

thought of losing his wife. Shanewis tried to comfort him but the Chief could not bear the thought of losing his wife. "Fight these evil spirits," he begged her, "and I will return with medicine soon!" Then Nekumonta rushed from the longhouse and hurried out into the forest in search of the herbs and roots that could save his beloved. He searched everywhere that these precious medicines could be found, never stopping for food or rest. But after three days of slogging through the snow, crawling under logs and rocks, braving the icy waters of lakes and rivers...Nekumonta had found nothing. He said over and over, "Shanewis will live...Shanewis shall live!" but even the great Chief began to despair.

As Elder Brother, the Sun, set on that third day, Nekumonta could carry on no more. He collapsed onto the ground and fell into a deep sleep. Throughout the night, Nekumonta was visited by strange dreams and visions of Shanewis—one where she lay dying in the longhouse calling out for her love, another where he was in his canoe but could not reach the medicine plants on shore as the water rushed him forward, and finally a last where he was with his healthy wife in a cornfield preparing for the harvest ceremony. In each, Nekumonta heard the same whispers over and over, growing louder and more distinct, "Free us from our prison and Shanewis will live." When Elder Brother poked his head over the horizon, Nekumonta was startled awake as the whispers had grown to a deafening roar! He looked around, sure that someone close by had shouted these words, that it could not be only a dream. But after searching behind every tree and bush, under every rock and fallen log, along each river and stream, Nekumonta could find nothing and returned to the spot where he had slept the night before. But now, he collapsed on the ground in despair, fearful that Shanewis would be gone before he could return.

As he lay there, Nekumonta was startled to discover that he could hear the voices again...they were coming from under the ground and rocks where he had fallen. "Free us from our prison and Shanewis will live!" the voices repeated over and over. Nekumonta began to dig into the frozen earth with his bare hands but soon grabbed branches from a nearby ash tree and used them to scoop out more and more dirt. He pried out huge rocks and frozen roots and continued to dig as Elder Brother rose higher and higher into the sky. Nekumonta labored without rest and finally, with torn and bleeding hands, pulled free the last boulder that formed the prison under the ground. To his surprise, it was not a person or a spirit that was trapped inside the earth but instead it was water that came bubbling out of a spring. As the water reached the top of the hole Nekumonta had dug in the ground, voices sang out "We are free!! And now Shanewis may live!"

Nekumonta realized it was the water that was singing to him the whole time and that it must have magical powers. He dipped his bruised and bloodied hands into the water and felt relief from their healing properties. Nekumonta knew he had found the medicine that could save his beloved wife. But how to get the healing waters home to her in time? Quickly, Nekumonta dashed to a nearby stream and dug up some clay that formed its banks. With marvelous skill, he fashioned the clay into a beautiful pot. Then he built a fire and set his work into the coals so the clay could be hardened and he could carry the medicine home to his beloved.

But as the pot was firing, weariness overcame Nekumonta and he laid down and fell asleep. Again, terrible dreams visited Nekumonta. In one, he saw his wife, Shanewis, standing at the door of their longhouse, looking out into the forest. She was calling his name over and over, gasping for breath as the terrible plague overtook her. Nekumonta knew that if he did not reach her soon, Shanewis would die and he would be forever sad. He dreamed that he was trudging through the forest, bringing the medicine to his beloved. And though he could see the village through the trees, it seemed his steps never brought him closer to saving his wife. Finally, as the sun set, she let out one last terrible cry and collapsed on the ground and Nekumonta knew that he was too late.

He let out his own terrible cry of grief and the sound startled him out of his deep slumber. Snapping awake from this terrible dream, Nekumonta sprang to his feet, knowing that he had to reach home with the healing waters before nightfall. He plucked the hardened pot from the dying embers of the fire and dipped it into the spring that sang about saving Shanewis. Then Nekumonta ran through the forest as fast as he could, hoping against hope that he would reach his beloved in time. It was a long journey back to his village and Elder Brother was starting to settle below the horizon when finally Nekumonta could see his village through the trees. Just like his dream foretold, he heard Shanewis calling from the door of their longhouse, pleading for him to return home with medicine. Nekumonta burst through the trees and into the village and let out a triumphant cry!!! He rushed to his bride and soothed her with the Healing Waters from the magical spring. She was revived a bit and, over time, was restored to full health. Nekumonta showed the others where the magical springs were located and from that day forward the Mohawk always respected the healing properties of Saratoga Springs. Da-neh-Ho!!

Questions to Think About

1. What do you learn about facing difficulties in finding the appropriate treatment?
2. What wise practices does the Story of Saratoga Springs teach about the importance of providing treatment as quickly as possible?
3. What wise practices does the story teach about the appropriate type of treatment?
4. What wise practices do you have in place to ensure the right type of treatment is provided quickly?
5. What wise practices do traditional stories from your Nation teach about the importance of finding the right treatment and doing it quickly?

Concluding Questions

1. What wise practices about screening and eligibility and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about screening and eligibility?
4. How can you share them with your team and participants?

Chapter 7: Key Component #4 - Treatment and Rehabilitation

*THWC provides access to holistic, structured, and phased alcohol and drug abuse treatment and rehabilitation services that incorporate culture and tradition.*¹¹⁶

This component focuses on treatment, rehabilitation, and use of culture and tradition. A judge's role as a leader is to ensure the design of a THWC that incorporates holistic, structured, and phased treatment and rehabilitation services which incorporate culture and tradition. The judge is not trained to provide these services but acts as a leader in the implementation of this component. It is the judge's job to make sure that the team is following its policies and procedures. Judges must understand treatment and other services within the community and the best practice standards in the provision of services to ensure the participants are successful. It cannot be emphasized enough that a critical part of judicial leadership is that we understand the importance of treatment and rehabilitation. It is this understanding that gives us the tools to lead our team in providing the best services for our participants. It also helps us encourage participants to engage in treatment and in live in recovery. A quick review of some of the best practice standards follows, but a full discussion of the best practices should be continually reviewed by the judge and team. Some best practices may be difficult or not applicable and it is the judge's job as a leader to work with the team to determine the best wise practice for its team and participants.

As noted earlier, participants should receive a standardized clinical assessment and their individualized treatment plan must be based on this assessment.¹¹⁷ A continuum of care should be provided to all participants that includes detoxification, residential, sober living, day treatment, intensive outpatient, and outpatient treatment.¹¹⁸ This may be difficult in Indian Country. The judge should learn and be aware of all local resources and their adherence to appropriate standards, and work with the team on developing relationships when appropriate. Participants have the best outcomes when they complete treatment "extending over approximately nine to twelve months."¹¹⁹ Participants also have significantly better outcomes when they meet with a treatment provider or clinical case manager at least once a week for an individual session during phase one.¹²⁰ Evidence-based treatments should be provided by trained

¹¹⁶ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 28.

¹¹⁷ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 37; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 81.

¹¹⁸ *Ibid.*; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 74–75, 80–81.

¹¹⁹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 42.

¹²⁰ *Ibid.*

providers.¹²¹ Group counseling also improves outcomes.¹²² Also, medically assisted treatment can significantly improve outcomes.¹²³

Phases are used to support individuals as they learn how to live in recovery. Supervision and support are gradually removed as they develop their own tools. Phase advancement rewards participants through the recognition of their accomplishments and also places the participants on notice that the expectations for their behavior have been raised.¹²⁴ The expectations and requirements for advancement should be based on clinically important milestone that are related to their progress toward recovery and not based on their length of time in the program.¹²⁵ State drug court participants have better outcomes when there were “clearly defined phase structure and concrete behavioral requirements for advancements through the phases.”¹²⁶ Phase promotion is based on achieving “realist and defined behavioral objectives, such as completing a treatment regimen or remaining drug-abstinent for a specified period of time.”¹²⁷ However, treatment changes or adjustments are not based on the phased structure, but rather the participant’s response to treatment.¹²⁸ Courts should provide a final phase focused on relapse prevention and continuing care.¹²⁹

For family treatment courts, treatment should be provided in context of the participants’ family relationships.¹³⁰ The treatment should meet needs of the parents, in addition to their children and family members.¹³¹ The treatment plan should address “the effects of the participants’ substance abuse disorders on each family member according to their level of need and builds upon their strengths to improve individual and family recovery and functioning.”¹³² Treatment providers should understand the importance of ensuring child safety and time lines regarding child permanency,¹³³ whether they be Federal time lines under the Adoption and Safe Families Act or within tribal law. THWC judges need to focus on rehabilitation, not just treatment, which may require services other than treatment. Participants have more success when they are offered complementary treatment and social services to address their co-occurring

¹²¹ Ibid., 39.

¹²² Ibid..

¹²³ Ibid., 45.

¹²⁴ Ibid., 32

¹²⁵ Ibid..

¹²⁶ Ibid..

¹²⁷ Ibid., 28.

¹²⁸ Ibid., 32.

¹²⁹ Ibid., 39.

¹³⁰ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172, 78.

¹³¹ Ibid.

¹³² Ibid.

¹³³ Ibid., 76.

needs.¹³⁴ However, the services must be based on assessments and matched to needs of the participants.¹³⁵ Inclusive in this need for services is the need for housing assistance.¹³⁶ Finally, mental illness and addiction must be treated concurrently as substance use can trigger or exacerbate mental illness, mentally ill participants may use substances to self-medicate, or the two disorders may emerge independently.¹³⁷ This again requires us as judges to be familiar with services in our community and surrounding communities. As leaders, we work with our team members to develop relationships with these services. We also from time to time should revisit this topic to determine whether other services have developed or if we are missing a service that would be helpful for our participants.

A critical part of this component is the incorporation of culture and tradition. Every THWC will be different in how they incorporate culture. It might be incorporated into their treatment program by treatment service providers, or it may be used other ways, such as in the various names of phases or as prosocial activities. Regardless, the judge must lead the way, from the development and implementation and ensure the THWC process is representative of the Nation's culture. The judge must listen to cultural leaders on the team about how to do this. It should not be a requirement that participants engage in cultural activities, but they can be offered and encouraged, as appropriate according to the Nation's culture.

The Importance of Treatment and Culture

How do we convey the importance of treatment, rehabilitation, and culture to our team members, when we as judges do not provide these services? We do this as we learn about treatment, ensure the THWC incorporates treatment and culture, and then teach others about addiction, living in recovery, and how THWC can assist. In the story "How Medicine Came to the Haudenosaunee," we are taught the importance of medicine. It is a gift to know how to use it. There are many kinds of illness that require different forms of medicine. As judges, we do not need to know, create or apply the medicine or customs and traditions, but we need to ensure that we are respectful and understand the importance of treatment and culture.

¹³⁴ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 8.

¹³⁵ *Ibid.*, 9.

¹³⁶ *Ibid.*

¹³⁷ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 11–12; Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 172, 76.

*How Medicine Came to the Haudenosaunee—As Told by Perry Ground*¹³⁸

This story happened a long time ago, back when the Great Turtle Island was new.

There was a village of Haudenosaunee with lots of people. Each Clan had their own longhouse and as was the custom they had a symbol carved above the door to show which Clan family lived in each house. This village was large enough that all nine clans lived there. One day, an old man came stumbling out of the woods and walked into this village. He was not very well kept; his clothes and moccasins were dirty and torn, his hair was disheveled, and his belly rumbled with hunger. He approached the first longhouse, hoping to find a place to sleep and something to eat.

When the Old Man got to the Longhouse door, he noticed a Wolf carved in wood hanging above the entrance; he knew the Wolf Clan family lived inside. He rapped on the edge of the door and soon, the Wolf Clan Mother looked out. “Oh, Sister,” said the Old Man, “I have been traveling for many days and am tired and hungry. Can I come into your house to sleep and have something to eat?” The Clan Mother looked at the Old Man with his dirty clothes and torn moccasins.

She made an awful face and yelled “Shahh...Go away Old Man! Look at you with your torn clothes and dirty hair! Nobody wants you in this Longhouse!” Then she pulled a deerskin across the doorway. The Old Man turned and shuffled away.

Soon, he came to the next Longhouse in the village, a carving of a Beaver above the door. Would the Beaver Clan welcome him? Again, he knocked on the side of the Longhouse door. The Beaver Clan Mother looked out and saw his bedraggled clothes and dirty moccasins. “Shaaahh, Old Man?!?” she yelled. “Go away from my door!!” Before the Old Man could say anything, she placed a long stick across the doorway, which was the signal that no one could enter. The Old Man turned and slowly walked toward the next house. But as the Old Man made his way through the village, he was turned away from longhouse after longhouse. The Turtle Clan said “No!,” the Deer Clan Mother shooed him away, the Hawk Clan just laughed at him, and on and on as he also went to the Deer, Heron, Snipe, and Eel Clan longhouses.

¹³⁸ Ground, Perry (Onondaga), 2020. “How Medicine Came to the Haudenosaunee,” Facebook, March 21, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=664111397681860&id=172120836880921.

Finally, the Old Man—now stooped over very low, stomach grumbling louder than ever, feet barely shuffling through the dirt—came to the end of the village and a small longhouse. That house was not in very good shape—only a single fire and smoke hole, weeds growing along the walls, bark in disrepair. Above the door—and there was a carving of a bear’s head. The Old Man had only this last hope, the Bear Clan.

He knocked on the side of the doorway and the Bear Clan Mother came out to greet him. She saw the Old Man stooped over his cane, saw the holes in his moccasins, heard his stomach rumbling...and her heart went out to him. She said, “Grandfather, why are you out here in the cold night air? Come into my house and warm yourself by my fire.” She took the Old Man into the longhouse and laid out her best bear furs for him to sit upon. “You must be very hungry as you look like you have been traveling,” she said. “We do not have much among our family, but we will gladly share with you,” she said as she prepared him a heaping bowl of corn soup.

“Granddaughter why are you being so good to me, a stranger in your house?” asked the Old Man. “Grandfather, it is our instructions from the Creator,” answered the Bear Clan Mother. “We are told to treat all our elders with respect. And we are to care for travelers when they come to our village.” The Old Man thanked her and then laid down on the bear furs and fell asleep. While he slept, the Bear Clan Mother mended his moccasins and put on some fine porcupine quill decorations.

In the morning, the Old Man awoke but had a terrible cough. The Bear Clan Mother insisted that he stay with her family until he was well. “Granddaughter, you have been so kind to me—a stranger!—that I wish to give you a gift,” said the Old Man. He told her to go out into the forest and at a certain place on the path, she would find a certain tree. He described the leaves and asked her to bring some back to him. The woman went out and, exactly where the Old Man had said, she found the tree. She gathered the leaves and took them back to the Old Man. He showed her how to brew them into a tea. After he drank the tea, his cough went away. “Granddaughter, the leaves of the Sassafras tree, they make good medicine. I want you to remember that and share it with the people in your family,” he instructed the woman. Bear Clan Mother promised that she would remember.

The next day, the Old Man awoke but now had a different ailment. Again, he instructed the Bear Clan Mother to go into the woods to find the root of a certain plant. He told her right where it was and, sure enough, she found it right there. When she brought it home, he showed her how

to prepare it then gargle with it and his sickness went away. “Witch-Hazel makes a good medicine,” he said. “Remember this and share it with your family.” Again, the woman agreed to do so. And day after day it continued like this. The Old Man would wake up with some kind of sickness. Each day, he would send the Bear Clan Mother into the forest to find a plant that made medicine. He showed her how to treat many different types of ailments and made her promise to share this knowledge with her Clan. After many days, he awoke one morning fully healthy and ready to continue his journey. The Bear Clan Mother insisted that she gather some strawberries for him to take on his journey. She went into the forest to gather some of this sweet treat.

When she returned to her village, the Bear Clan Mother saw a great light coming from near her longhouse. “Oh no!” she cried, “My longhouse is on fire!” But as she approached her house, she saw a Young Man standing in her doorway. And the light was not fire but was coming from the Young Man. “Oh no!” she cried again, “An Evil spirit has come to live in my longhouse!” But the Young Man spoke to her in a beautiful, soothing voice: “No Granddaughter, I am not an evil spirit. I am the Creator and I came to you weeks ago in the form of an Old Man. I went from longhouse to longhouse looking for food and shelter. But all the other clans had forgotten their instructions and turned me away. Only you, of the Bear Clan, remembered to care for their elders and for weary travelers. In Thanks, I gave you a gift...the gift of Medicine. You now know how to cure many sicknesses. Pass this on to the people of your Clan because you will be the ones that know these medicines.” The Bear Clan Mother promised to do so and, to this day, many of the people that know traditional medicines still come from the Bear Clan. Da-neh-Ho!

Questions to Think About

1. How are your participants like the Old Man?
2. How are your team members like the Old Man?
3. What improvements do you need to make to ensure people who need help are not turned away?
4. How can we be more like the Bear Clan Mother and see the true potential of our participants?
5. How do you exhibit patience similar to Bear Clan Mother?
6. What have you learned from your team members and participants about medicine or treatment?
7. What wise practices do you learn from this story?
8. What stories from your culture teach the importance of medicine?
9. How can you help your team members, participants, and the community understand the importance or need for medicine or treatment for addiction?

The following story, “The Boy Who Lived with Bears,” is not about medicine but about helping someone. It’s important to note that treatment and service providers do not have bad intentions, like some of the animals in the story. But this story is included to remind us as judges, we have to be aware of the various types of helpers in our community and work to find the best fit for our participants. As discussed previously, it’s important to know the types of services our participants need. We do this by using assessments, then like Mother Bear and Eagle, we know when and where to send our participants.

*The Boy Who Lived with Bears—As Told by Perry Ground*¹³⁹

The story happened a long time ago, back when the Great Turtle Island was new.

There was a very young boy who was left in the forest one day. Some say that a group of hunters had left him behind, some say his mother had left him by a tree when the Cherokee came to attack the Haudenosaunee. But the boy was very hungry and very afraid until a Mother Bear found him near her den. She told the boy not to cry, that she would feed him and protect him and keep him warm in her den. Mother Bear took the boy home and raised him. That Bear had two cubs of her own but cared for the young boy as if he were her own child. The boy and the cubs became like brothers: they played together, slept next to each other, climbed trees together, wrestled in the leaves, and ate all the nuts and honey their mother could bring to them. The boy soon thought that he was a Bear too and loved his new family.

But one day, Mother Bear smelled something strange in the air. She listened and heard hunters coming toward her den. She growled out a warning and her cubs, including the boy, scurried into the den. Mother Bear hid inside also and then she tossed rabbit hairs into the wind; the hairs were carried toward the hunters and magically turned into rabbits which the hunters chased, going away from the den. Another time, Mother Bear tossed partridge feathers into the wind and then when they magically turned into birds, the hunters chased them into the woods. But the third time, the hunters were getting too close to her den so Mother Bear rushed out and charged the hunters. She roared and scared the hunters away from her cubs. But she knew they would be back now that they knew when she lived. She feared they would bring their dogs who

¹³⁹ Ground, Perry (Onondaga), 2020. “The Boy Who Lived with Bears,” Facebook, December 20, retrieved on October 9, 2023, <https://www.facebook.com/172120836880921/posts/pfbid0mPi6yws2ZeEMX8BLTssGFYko1doanAMy2kyeHhmK1b2X5qgc6hTLzoE8E33xM2kl/?mibextid=cr9u03>.

would be able to scent out her hollow in the tree. She thought she could run away with her two cubs...but what of the boy who had become her own child also? How could she save him?

Just then, she heard someone approaching and whirled around but it was only Porcupine walking through the bushes. But Porcupine was chief of the forest at that time so Mother Bear called him over to her den. She explained her fear for her cubs, especially her adopted son. Chief Porcupine listened and decided that he would call a council of all the animals; working together, he thought they could all save the boy who had become like a bear. So Chief Porcupine raised his voice and sent word out into the forest that there would be a council. All the animals and birds rushed to the Council Tree and, when everyone was assembled, Porcupine told them about Mother Bear and her fears for her adopted son. "Who can take this boy and save him from the bear hunters and their dogs?" he asked.

The animals looked at each other until a group of them, all of whom had conspired to try to get rid of men from the forest, spoke up. They all disliked the People because the animals thought the People were becoming too powerful. So Beaver spoke up and said, "I will take the boy and let him live in my lodge. He can chew on bark like I do." Then the Fox spoke up and said, "I will take the boy and show him how to hunt for small animals that are good to eat." Then the Wolf spoke up, then the Panther, and the Raccoon, Deer, and Coyote. Each promising to take care of the boy, telling what they would feed him, even though each one planned to do away with the child as soon as possible. Mother Bear listened to all the animals, wondering which would be best for her son. Chief Porcupine asked her, "Which one of these animals do you want to take your son and keep him safe?"

Mother Bear thought very hard and said, "NONE of you can take him! I know that you all do not like people and think this is your chance to get rid of one." The other animals were surprised but Mother Bear continued, "Beaver...you would drown the boy on the way to your lodge; Fox and Coyote...you would teach the boy to lie and cheat; Raccoon...you would get him to climb to high until a branch broke and the boy fell; Panther and Wolf...you both are looking for something to eat!!" The animals were shocked that Mother Bear knew their intentions. Chief Porcupine spoke up, "So what shall we do with the Boy when the hunters come back to your lodge?" But as he spoke, they all heard a rustling in the Council Tree.

Suddenly, swooping down from his perch, the great Eagle landed in front of Mother Bear. He spoke loudly and clearly, "Let me take the boy,

Mother Bear, and I will protect him. My wings are swift and strong and I will fly the boy far away from the bear hunters." Mother Bear looked hard into the Eagle's eyes, trying to determine if he was telling the truth. "I will take the boy to the lodge of some good Ongewhonweh that I know," continued Eagle. "They do not have a child and would raise this boy very well. He would be wanted and loved and safe." Mother Bear looked once more into Eagle's eyes and said, "Yes Eagle, you may take my son. I trust you and know you will protect him." The Eagle spread his wings and Mother Bear placed the boy on his back. The boy gave his adopted mother one final bear hug and then Eagle lifted off into the air. Away they soared through the forest until Eagle finally landed.

He then left the boy, as promised, at the lodge of a childless couple. When they found the boy, they were overjoyed to adopt him into their home. The boy was raised very well and grew to be a great hunter; he was well known for his generosity in sharing his game with others. The boy could find a bear trail faster than anyone but he was never known to cut down a bear tree or kill a bear. When he grew older, the boy—now a man—married a beautiful woman and together they had several wonderful children; but never were they seen wearing bear skin robes. But in their lodge there were many wolf, panther, and coyote furs. And several fox and beaver fur robes and blankets. And they had many clothes made from deer skins. But never anything from a bear...for the boy/man remembered his Mother Bear and his two brothers and how he had once lived with the Bears. Da-neh-Ho!

Questions to Think About

1. How did Mother Bear's care benefit the boy? Why do you think she cared for him?
2. How did her act of kindness impact the boy as an adult?
3. How can you keep your team focused on the right results or having the right intentions as they work with participants?
4. What wise practices do you learn from Mother Bear and Eagle?
5. What stories from your Nation teach you wise practices about how to care for others?
6. How can you implement them?

The following story helps us think about two important points. First, when we help others, we often need others to help us provide that assistance. Second, sometimes we may be injured as we help others. As judges, we must ensure that our team members practice self-care. We must also ensure that we work together, which makes us stronger.

*The Quilt of Many Eyes—As Told by Perry Ground*¹⁴⁰

This story happened a long time ago, back when the Turtle Island was new.

There were twin Haudenosaunee brothers who were called Older and Younger. They lived with Shagódihso:t (their grandmother in Seneca) who cared for them very well. But Shagódihso:t had one rule for them: they were never to use a certain arrow that had belonged to their Uncle. Shagódihso:t kept the arrow in their lodge packed away in a bundle with other charms and said she would give it to them when they were old enough. But, being boys, the two brothers always wondered about that arrow and why they couldn't use it. They played a game where Older would climb to the top of a hill and then leap high in the air, landing on a nearby hill. Younger would stay in the valley between the hills and shoot his arrows up at his brother...but he never hit him.

One day, the two curious boys decided they couldn't wait to be old enough to use the arrow and wanted to get it right away. Shagódihso:t was in the corn fields so they snuck into her bundle and took the arrow. They went to the hills to play. Older jumped from the top of one of the hills; Younger fixed the forbidden arrow on his bow and drew back the bow string, aiming toward his leaping brother. The arrow magically curved through the air and found its target. Older was pierced by the arrow and carried through the air. Younger gave a cry and chased after his brother. After running a long distance, he saw his brother coming down from the sky; Younger ran under his brother and caught him before he could hit the ground and carried Older on his back. Older told him to go North, to find medicine, but cautioned him as well. "There is a house along our path filled with women who are singing. But they are witches so do not listen or even look upon them."

Soon, the brothers came to this house and, sure enough, they heard beautiful singing. Younger stooped over, with his brother on his back, and kept his eyes on the ground; Older closed his eyes as tightly as he could. "Look at these brave, strong, handsome warriors," sang the witches as they danced around the boys. "They would make fine husbands. Look up and see us and you can choose the most beautiful for your wife." Younger saw the long, shapely legs of the witches dancing in front of him and their voices were so very tempting.

¹⁴⁰ Ground, Perry (Onondaga), 2019. "The Quilt of Many Eyes," Facebook, February 8, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10210379198195453>.

He was only a few steps from the end of their village when one of the witches danced into his path. She sang/whispered the most enticing song into his ear and promised him a most happy life if only he would look up. But before Younger could fall prey to the witches' song, Older prodded his brother with the magic arrow and begged him to walk on. Younger was snapped out of his trance and staggered out of the witches' village. Only when he rounded the next bend in the path did he open his eyes to see they were safely away from the singing vampire witches.

A little farther up the path, Older spoke to his brother, "There is one more danger in front of us but it is the last. There is a longhouse across the path and we must walk through it; but it is filled with another company of witches. If you look upon their blanket, they will take your eyes. These witches sew the eyes of men into a quilt, but the eyes continue to live and blink and see their owners devoured by the witches. If we can pass through without looking at the quilt, then we will be safe." Still carrying his brother, Younger soon approached the longhouse. As he entered, he again looked down at the ground and watched his feet as they moved forward.

One of the witches moved toward him and begged him, "Look up and see the beautiful quilt we are making for you. And who is this that you carry on your back? Set him down and you may both take some rest looking at the blanket." But Younger continue to walk toward the far end of the house. Older encouraged him to keep moving but kept his own eyes tightly shut.

Younger could see light coming from the door at the end of the house; he was almost to safety. Just then another witch jumped in front of him and held the quilt down low, very near the ground. Younger took his last step toward the door and the quilt came into his line of sight. He looked upon the Quilt and saw all the eyes blink at him...and then he gave a great cry because he could see no more! Younger was blind and had no eyes in the sockets; they had jumped out and been sewn into the Quilt by the curse of the witches!! Younger began to thrash about so Older jumped off his back and raced toward the door. He stumbled out, clutching at the place he had been pierced by the forbidden arrow. Younger did not know where his brother had gone. The witches cackled behind him so Younger got down on his hands and knees and, although sightless, crawled out of the evil longhouse. He continued that way for a long while, hoping the witches were not following behind him.

Soon, he came to a corn field so he laid down, hoping someone would find him when they came to tend the corn. Younger laid there for many

days but finally heard a young woman singing as she approached the field. Younger staggered to his feet and the woman saw him. She was startled and ran to her sister, saying she had found a man with no eyes. The sister said, "We cannot leave a human in distress like this; we will take him to our lodge and care for him. He will be a good companion for us since we have no one to help take care of us." The two sisters took Younger to their longhouse and feed him, cared for his damaged eye sockets, and mended his clothing. As he grew stronger, they asked how he had come to be in such a terrible condition. Younger told them about the witches and their blanket and how his injured brother had gotten away. When Younger was fully recovered, the elder sister told Younger, "You must marry my baby sister for she has fallen in love with you. And you are a good companion for her." Younger agreed and the two of them were married.

After some time, the wife gave birth to two boys, Twins. One was named Thistle and the other was called He Cries. Younger was very happy that he had these two sons but the boys seemed different than other boys. They grew much faster than others. They did not play with other children. No one talked to them but the Twins talked with each other. It seemed that they had magic powers and were perhaps wizards of some kind.

One day soon after their birth, the boys asked for lacrosse sticks and a ball so they could play. They played inside the longhouse, they played outside with others, then...they went under the ground around the house and played there! Soon they asked for bows and arrows; the Twins would disappear for days only to come back with lots of game. It seemed their magic was very strong. One day, the wife brought the boys to their father and he touched their faces so he would know them. The boys were happy with him and began to climb on him to play.

But then Thistle looked into his father's face and said, "How can he be our Father...he has no eyes! Maybe he is not our Father?" Younger responded, "I am your Father but my eyes were taken by witches. I had to pass through their lodge and when I refused to look upon their evil blanket, they forced it under my face. It took my eyes and the witches wove them into a quilt with the eyes of other men. My brother, your Uncle, was with me but now he is lost." He Cries replied, "Father, we will go and get your eyes; then you will be able to see. We will take our weapons and kill those witches." But all the older people heard this and told the boys they could not go. "Those witches are very evil and very powerful; we might lose you as well. You may not go!!" The Twins tried to persuade the others but they could not; the older people forbade them from going. Later, the two sisters went out to pick berries and left the

boys with their father. After a while, Younger heard the boys struggling with something outside the longhouse, saying strange things: "We are almost to father!, pull harder!!, he is too heavy! we must have help!" Soon the boys came to their Father and took him outside the longhouse.

Then, they placed his hands upon the body of another human being. The Twins had pulled this man up through the ground. This man had an arrow stuck in his chest, had no eyes in the eye sockets, and was nearly dead. As Younger felt this body, he knew it to be his own brother, Older!! "If only I could look upon him, then I could make my brother well again," said Younger. The Twins said, "Father, we will go and borrow some eyes for you; then you may heal our Uncle."

So the two boys went into the forest and found a buck; they asked if they could borrow his eyes for their Father. When the buck heard their story, he agreed to lend his eyes to Younger and gave his eyes to the Twins. They thanked the deer and gave him moss to eat while they were away. Returning to the longhouse, the Twins put the deer's eyes into their Father's eye sockets...and he could see again! Younger was very happy to look upon his two sons; they were happy to see what he looked like with eyes. Then, Younger looked at his brother and rejoiced that he was still alive. Using the deer's eyes, he made medicine to heal Older and withdrew the magic arrow from his body.

Then the Twins said, "We will go to the Longhouse of the witches and recover your eyes; then you will be happy together again." They took the eyes of the buck from their Father and carried them back into the forest. They returned them to the buck and again gave him thanks. Then, they set off to find the cabin of the witches and their evil quilt. When they found this lodge, they devised a plan to get inside and steal the Quilt of Many Eyes. He Cries went to the nearby spring and disguised himself as a piece of corn floating in the water.

Soon, the youngest of the witches came to the spring to collect water. When she dipped her pot into the water, He Cries was sure to get scooped up. Then the young witch took a drink and He Cries slipped down her throat. As the young witch walked back to her lodge, she began to feel very strange and her belly started to expand. When she reached the longhouse, one of the older witches looked at her and exclaimed, "Daughter, you look like you will soon have a child. This baby must be a gift from the Creator because no man that has passed here has survived."

Her belly continued to grow and very soon the young witch gave birth to a child. This child lived up to his name, He Cries, for all he did was cry

and cry. The witches would give him a treat or treasure and he would quiet for a time...but then the child would begin to wail again even louder!! One time, the child was crying and crying without end.

He pointed and pointed and finally one of the older witches said, "Perhaps the Quilt of Many Eyes would settle the child." So the witches gave him the Quilt and immediately the boy stopped crying. Once He Cries was settled (although he was only faking, he had a plan in mind), the witches went outside to work in their fields. Thistle, the other Twin, was hiding out in the fields waiting for them to approach. As soon as the witches were out of the house, He Cries folded up the Quilt and dashed out of the house. As he ran toward where his brother was hiding/waiting, the witches spotted him and gave a shriek of alarm. "He is trying to steal our most precious Quilt!!" they yelled as they began to chase after He Cries. Because he was still disguised as a baby, he could not run very fast and soon the witches had him surrounded. They began to strike at him with their tools and with weapons they carried on their belts.

He Cries tried to dodge their blows and escape with the Quilt. The witches worked themselves into a frenzy trying to recover their most precious object. They started to swing their weapons wildly and, when He Cries would dodge, struck each other! He Cries darted among them, watching them strike each other dead. Finally, there was only one witch who remained...but she was the most powerful of the witches. He Cries thought he could escape but the powerful witch loomed in front of him. She raised her club in one hand and a rattle in the other; the witch began to sing an evil song. He Cries saw the bones of the people the witches had killed (to steal their eyes for their quilt) and they began to tremble and move together; the witch was trying to raise them from the dead to attack!! He Cries looked for a way to escape but the bones were all around him and the Quilt was shaking furiously in his pouch, making it impossible to run.

Suddenly, a great cry arose as Thistle leapt from his hiding spot. He drew back on his bow and fired the magic arrow at the witch. The evil witch let out a terrible scream as the magic arrow pierced her heart; she exploded in a cloud of dust and smoke. As Thistle walked forward to collect his magic arrow, an owl screeched and flew past his head; the owl sounded like the old witch and wore the same crown of feathers. The Twins returned to their father with the Quilt of Many Eyes, asking him what his eyes looked like. "They were a bit peculiar, with a reddish color," he replied. Thistle found them quickly and replaced them in his father's eye sockets. Younger could see again!! Then he looked at the Quilt and said, "These are the eyes of my brother" as he pointed to another pair of

eyes. He Cries took those and placed them in Older's eye sockets...now he too could see again! Older was very happy to look upon his brother again and was glad to see his brother's wife and their two sons.

Then he saw the older sister of his brother's wife and immediately fell in love. The two of them were soon married. The Twins then paced out the outline of a large longhouse and commanded one to spring up from the ground. Instantly, a new house appeared and both couples lived there with all their children. The Quilt was burned and all turned out well as everyone was happy. So this legends ends. Da-neh-Ho!

Questions to Think About

1. How did Older Brother initially help Younger Brother get out of the village?
2. How does your team help other team members deal with danger?
3. How are our participants like either of the Brothers?
4. How does you team work together to help your participants heal? What practices to you have that protect your team members from harm?
5. What do you learn from the Twins?
6. What wise practices does this story teach us about finding various helpers?
7. What wise practices does it teach us about taking care of ourselves if we get injured?
8. What wise practices have you implemented to make sure your team members are engaging in self-care?
9. What could you do differently to make sure they are well cared for?
10. What stories from your Nation teach wise practices about caring for others?

Building Relationships and Collaboration

Sometimes working together can be difficult. We may discover service providers who do not want to work with the THWC or working together is a challenge. As judicial leaders, we must find ways to invite people, even difficult ones, to work with us. In the story, "The Great Head and The Twelve Brothers," the Great Head is not someone ideally with whom we would like to work. As you read the story, think about what motivated the younger brother and uncle to decide to work with him? What motivates you to work with your team and what motivates your team?

*Great Head and the Twelve Brothers—As Told by Perry Ground*¹⁴¹

This story happened a long time ago, back when the Great Turtle Island was new.

There was a group of twelve brothers who lived with their Uncle deep in the forest. Their parents had died and the boys did what they could to care for their Uncle. Each day, the older boys would go out hunting but the younger ones were instructed to stay near the longhouse.

One day, the oldest Brother heard a magnificent bird song and then saw a beautiful red-headed bird flying nearby. As he watched, the bird flew around a great tree and landed on the ground; the bird became the most beautiful woman the Brother had ever seen!! "Why do you point your bow and arrow at me?," she asked. "Wouldn't your rather come and sit with me, talk with me?" The Brother rushed to her side, thinking he had found his wife. The beautiful red-headed woman started to sing and the Brother fell asleep.

Back at the Longhouse, all the other brothers had returned from their hunt. When the eldest didn't return, they feared something terrible had happened to him. The next day, the second oldest went out to hunt in the same direction the oldest had gone; he hoped to find his brother as well as food for his family. As he neared a stand of trees, the Brother heard a beautiful bird song. Looking around, he saw a gorgeous red-haired woman walking toward him. The Brother quickly straightened his clothing and untied his long hair, hoping to woo this intoxicating woman. When he looked up, she smiled at him and began to sing. The Brother sat beside her to listen and soon felt very sleepy.

That night, back at their longhouse, the 10 remaining Brothers worried when the second oldest didn't return. "We must find our Brothers," they said, "for surely something terrible has happened to them." The next day, the third oldest brother went looking...and did not return at night. The following day, the next oldest went out...and did not return. Then the next oldest went searching but did not return...and on, and on, and on it went. Until only one Brother, the youngest, remained with the Uncle.

"I must find my Brothers," he cried when no one had returned. "No, you cannot go into the woods," said Uncle. "Who will care for me and help

¹⁴¹Ground, Perry (Onondaga), 2019. "Great Head and the Twelve Brothers," Facebook, May 21, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10210883307557872>.

me gather medicines?" So the young boy stayed near the Longhouse, helping his Uncle. One day, the boy and his Uncle were out gathering what food they could find. As he stepped over a log, the boy heard a groaning coming from under a hollow log. When the groan sounded again, the youngest Brother and the Uncle began to dig in the ground. They were surprised when they discovered a man buried under the hollow log. His face was covered with mold and his flesh barely hung from his skeleton. "Quick, run for the Bear's Oil," said Uncle. When the boy returned, they rubbed the oil all over this man and he began to be revived.

They took this man to their lodge and cared for him until he was restored. The man told them that he did not know how long he had been under the ground or how he had gotten there. "Last that I remember is going out on a hunt; then I heard the most beautiful bird song but fell asleep while I was listening," he told them. Hopeful that the others were still alive the youngest Brother said, "My Brothers have gone missing; I wonder if this is what happened to them?" The Man was surprised, "I know of these Brothers and heard that something evil had happened to them."

That night, a great storm arose in the forest and the Man could not fall asleep. "Do you hear that howling in the hurricane?," he asked. "That is my Brother, the Great Head. He sees all and knows all but is very wicked; the Great Head kills those that come near him and he destroys all that is around him." The youngest Brother had an idea. "If the Great Head, your brother, knows all then he would know where my Brothers are. Can we go to him and ask about my family?" The Man shook his head and said, "No, it is too dangerous but perhaps I could lure him here. Once here, if you provide enough food for him, then the Great Head may answer your questions." The youngest Brother agreed and asked, "What does your Brother eat?" "He enjoys great chunks of bark from the Hickory or Maple tree," said the Man.

The next morning, Uncle and Brother began to cut trees and built a huge store of bark. The stranger set off toward the rocky hills where the Great Head lived. As he traveled, the Man pulled up six trees and commanded them: "I want you to be small!" The trees became small and the Man shaped them into arrows. Then he continued on to the rocky hills. Suddenly, a great booming voice echoed across the hills, "I see you! I see you!" But the Great Head was looking at an owl. The Man called a passing mole to him and said, "You must carry me under the ground so the Great Head does not see me. When we get closer, you must let me out." The mole agreed so the Man became very small and went inside the mole. When they were as close as the mole dared to get to the Great Head, the

Man jumped out and yelled, "I have come for you!" Then he grabbed one of his arrows and fired it toward the Monster! As it flew, the arrow grew back to the size of a tree and struck the Great Head. The Man was restored to his proper size also so he turned and started to run back to the lodge of the Uncle and the youngest Brother. But soon he heard a terrible tempest coming up behind him and knew that Great Head had given chase.

Very soon, he felt the breath of the Head on the back of his neck so the Man turned and fired another arrow. As it flew, this arrow grew to the size of a tree and struck Great Head. The Man continued to run. Over and over, this was repeated until the Man could see the lodge of the Uncle just ahead. Giving out a warning shout, he dashed into the longhouse with Great Head right behind him. Uncle and Youngest Brother were waiting inside the door and, when Great Head burst into the house, they took up corn pounders and tried to beat him into submission. But Great Head only laughed at their attempts. "Si-h, si-h, si-h," he said, "I am happy to see my own brother and will cause you no harm." Uncle gave Great Head the chunks of bark that were quickly devoured. Then Uncle told Great Head about his missing nephews. "I know where they have gone. They were mesmerized by a group of red-haired witches. They sing continually and turn their victims to bones." Uncle was very sad to hear of this terrible fate, but Great Head said, "I cannot stay here but I can take this young one to the witches. We can try to defeat them, and he can recover the bones of his brothers." Uncle worried for his youngest nephew but agreed to the plan. The next day, Great Head and the Youngest Brother set out and came to a longhouse surrounded by bones.

Coming closer, they heard a beautiful bird song and then saw a beautiful red-haired woman come around the corner of the house. The youngest brother, entranced by her song and her beauty, started toward her but Great Head stopped him. "No, you must not listen to her! She is a witch and will cast a spell on you. Then you will end up like your Brothers!" The red-haired beauty was very angry and sang more enticingly to the youngest Brother. But Great Head shouted "Schis-t-ki-añ!!," which was a magical word meaning "Fall and be bones." The red-haired woman stopped singing so Great Head repeated "Schis-t-ki-añ!!" The woman gave a terrible shriek and turned to run away. Great Head said the magical word a third time...and the woman's flesh fell from her body and she collapsed into a head of bones, which sounded like the pouring of many shells. Upon hearing that sound, another and more terrible shriek was heard coming from inside the lodge. Now, the mother of the red-haired woman burst out of the house and rushed at Great Head!! Turning to the youngest Brother, Great Head said, "I must fight her but need your help.

You must scatter the bones of the first woman. Then I will bite pieces of flesh from this witch; scatter those and tell them to become birds or animals and they will never return."

Just then, the witch set upon Great Head and a horrific fight began!! The youngest Brother ran to the pile of bones from the red-haired beauty and began to scatter them. "Be a red bird, be a fox, be a rat snake," he yelled something different as he threw each bone. Then, Great Head began to tear pieces of flesh from the witch and the youngest Brother scattered those, commanding each to be a bird or animal. The witch moaned in agony and begged, "Have mercy on me!" But Great Head replied, "Look at all these dry bones! You had no mercy on these men and now you must die!!" The fight resumed and Great Head took one final bite of the witch's flesh and she died. The Brother cast it away saying, "Be a Horned Owl" and an owl flew away. "Now we have won a great battle," said Great Head, "but our work is not done. We must gather the bones and make as many bodies as we can. Each body must have their own bones."

Youngest Brother worked as hard and as quickly as he could. "Now I will go away," said Great Head, "but will return soon. When you hear me approach, command these bodies to rise up and they will obey." Great Head flew off into the forest and Youngest Brother continued to work hard. Very soon, he heard a tremendous rushing of wind, so strong that it was knocking down trees, so he hurriedly put the last of the bones into rows. Just then, Great Head swept overhead so the Brother yelled, "Rise Up!! Or these trees will fall on you!!" Great Head flew on, going back to his own home but before the trees could fall, the skeletons all sprang up...returned to being living men! A few of them, the last that had been hurriedly put together, had some bones out of place and were now crippled but happy to be alive. All the men thanked Youngest Brother and then left to return to their own homes. Then he saw his own brothers and called them to him. The Brothers returned to their Uncle who held a feast to celebrate their return and they all rejoiced to be together again. Da-neh-Ho!

Questions to Think About

1. What in your community does the red-haired woman represent?
2. What does the Great Head represent in your community?
3. How did Man, Uncle, and Youngest Brother work together to obtain the assistance of the Great Head?
4. How can your team do this?

5. Are there more services in your community that you need to work with? How can you bring them together to work with you?
6. What characteristics did Youngest Brother possess that made it possible to him to work with the Man and Great Head and be successful?
7. What wise practices do you learn from working with the Man and the Great Head that could help you and your team?
8. What wise practices have you learned from team members or participants that were initially difficult?
9. What wise practices are in your Nation's stories that could help you improve the services to your participants?

Using Culture to Build Healing and Strength

Culture comes in many forms and can be used in many ways. As a leader, the judge plays a critical role in helping the team determine the best way to incorporate and use culture and custom and tradition. Sometimes as judges, we think we can just tell people what to do and that will fix all their problems. However, we must be humble and realize that teachings and strength that come from practicing one's customs and traditions may be stronger than a judge's order or words. What wise practices do you employ as a team to ensure you work together in peace?

Nia"Gwahe: The Naked Bear—As Told by Perry Ground¹⁴²

This story happened a long time ago, back when the Great Turtle Island was new.

After the time of Creation, many of the Ongwehoweh (original people) had forgotten the teachings of the Good Mind. The people had forgotten how to care for the earth and each other, there was jealousy and mistrust among the people, and there was constant war between villages.

The Ongwehoweh lived in constant fear that they could be attacked by the people of a neighboring village at any time. But in one village, there was a Chief who started thinking that there must be a better way to live. He remembered hearing about a long-forgotten Creator and how he wanted the Ongwehoweh to live in peace, and love one another, and help each other. This Chief thought that all the Ongwehoweh should be bound together and live in peace. He convinced his own village of this peaceful message, and they all began to work together: men built sturdy

¹⁴² Ground, Perry (Onondaga), 2020. "Nia"Gwahe: The Naked Bear," Facebook, June 16, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=723120161780983&id=172120836880921.

longhouses, women planted crops for everyone, and prayers of thanksgiving were recited again. The People became very happy. The Chief was pleased that his village lived in peace and wanted to share the message with a neighboring village. He thought he could bring all the Ongwehoweh together.

Two runners volunteered to carry the message of Peace to their neighbors. It was a dangerous mission because the other village would expect an attack rather than a message of peace and friendship. But the two runners set out bravely and, after a long journey, approached the village of their enemy. At the edge of the woods surrounding the village, the leader of the two runners cried out "Go-o-o Weh!!" three times; this was a cry of distress and he hoped it would allow them to approach the enemy village safely. Very soon, a war party came to the edge of the woods to meet them but, seeing that they were not painted for war or carrying any weapons, did not harm them.

The two runners were escorted to the Chief of the village where they shared the message of Peace and Friendship. The Chief was greatly surprised by such words from his enemy because he had similar thoughts but did not want to appear cowardly to his people. He called a council where the offer of Peace was discussed. Many war chiefs wanted the fighting to continue but more people of the village were in favor of Peace. The Chief called the two runners into the council and told them, "My people and I have heard your offer of Peace and, after much consideration, accept this good message." The two runners were relieved to know they were no longer in any danger of being harmed. The Chief continued, "Return to your home safely and tell your Chief that our villages shall live in Peace and Friendship. In four days' time we shall meet together halfway between our two villages at the big ravine. There we will bury our weapons of war and seal our friendship." The runners agreed to take that message back to their village.

The next morning, the two runners awoke with the sunrise and prepared to return home. When they stepped out of the longhouse of their host, they were surprised to see that everyone from the village had assembled to see them off. Cheers and good words echoed through the forest as the runners departed and it hurried their steps on the way back to their own village. When they arrived, the younger of the two runners raised his voice in a tremendous victory cry; everyone gathered around, excited that the two had returned. When the Chief arrived, the runners shared the message that the other village had accepted the offer of Peace and told him about the meeting in four days to bury the weapons of war. The Chief praised the men for their bravery in accomplishing the

important mission. He told all the people to be ready to depart in three days so they could meet the other people and seal their new friendship. The people rejoiced and began to sing and dance in celebration! The women led the way with their Women's Dance; the Fish, Duck, Stomp, and Rabbit dances followed. Then preparations for the meeting began; for the next few days, everyone was happy and lived for the first time without fear of sudden warfare.

On the appointed day, everyone assembled and began to make their way toward the ravine that was halfway between the villages. Such a large group, which included elders and young children, moved slowly so they had to make camp part way to the ravine. More dancing took place as the people were filled with joy. The next day, the journey continued and the whole group arrived at the ravine just as the sun reached its highest point; this was the time appointed to meet. But no one from the other village arrived to seal the friendship. "Perhaps they are delayed by those who are old or weak; we shall wait for them," announced the Chief. Then he dispatched a runner to check on the delay. But as day turned to night no one arrived, and the runner did not return.

Next day, more runners were sent but again, did not return. The people began to worry, and fear crept into their hearts. "We have been deceived; our enemy is going to attack us at any moment!," they cried to the Chief. He too was worried that the enemy had betrayed the offer of Peace but wanted to hold out hope. Two more runners were sent out; as night fell, the people heard one of the runners returning to camp. Everyone rushed out to hear his report, but the man was battered and bloodied as he stumbled into camp. He fell at the feet of the Chief and moaned "NIA"GWAHE!" just as he died. The Chief knew this terrible word meant great danger to all his people, so he instructed everyone to break camp and return to their village.

When he returned to his lodge, the Chief called a council of all the warriors. "We must send one man to determine what Nia"gwahé, the naked monster bear, is doing and when he will attack us all. It will be a mission of greatest danger and peril but is the only way we might be saved." Then the Chief took up a belt of wampum, saying "Which of you will take hold of this wampum and accept this terrible assignment?" Then he went around the longhouse holding the wampum in front of each man. But no one would grasp it for they had all heard stories of the horrendous Nia"gwahé.

Just then, a disheveled boy entered the longhouse; dressed in ragged clothing and torn moccasins, he was someone that everyone

teased for being good at nothing. "Why not offer the wampum to the boy?," joked one of the men while the rest all laughed at the jest. But the Chief was in no mood for jokes and stood before the boy with the belt. Suddenly, the boy shot out his hand and took hold of the wampum belt. Everyone was stunned that this boy, who they thought so lowly of, would accept a dangerous mission. The Chief counseled the boy on what needed to be done and scolded the other men for being cowardly.

Then the boy went to his lodge to tell his grandmother what had happened. She was more excited than afraid and told the boy that he was meant for great things, that his grandfather had powerful medicine, but the rest of the village had forgotten as he had died. The grandmother climbed up to a hidden shelf above the top bed in their longhouse. She brought down a bark box and, from it, withdrew her former husband's magnificent *gustoweh* (headdress). She placed it on her grandson's head, and he suddenly felt stronger. She took out a bow that was thick and strong and made from wood that looked unbendable. "If you can string this bow, then your grandfather's magic is surely inside you as you wear his *gustoweh*," she said. The boy took the bow and, with what seemed to be no effort at all, bent it and strung it so it was ready to use. "Lie down and sleep now; you need to be rested for your hunt of *Nia"gwah*," instructed the grandmother. "I will prepare your food and clothing for this mission."

As the Sun rose the next morning, the boy awoke to find a handsome outfit to wear, traveling rations of parched corn with maple syrup, and splendid moccasins that seemed ready to run out the door on their own. When the boy slipped on these new clothes, he felt like a different person...not the lowly boy that everyone constantly teased. He took the bow and a quiver of arrows along with a fine war club that had belonged to his grandfather, said farewell to his grandmother and went back to the lodge of the Chief. But as he approached, no one recognized him, even the Chief! The boy pulled out the wampum and announced that he was the one who would defeat *Nia"gwah*. Everyone was surprised because he was no longer a boy to be teased but instead a tall, strong, handsome, brave man!

He set off toward the neighboring village and it felt as if he was being carried by the wind he ran so fast but so effortlessly. Approaching the ravine, the boy began to slow because he noticed that the trees had been stripped of their bark lower branches, as if something was rubbing against them. Then, at the edge of the ravine, poking out of the ground and covered in blood, he found a bone from a person's leg. After a few more steps, he found rib bones with flesh still hanging from them. As he

entered the ravine, the boy found piles of bones and clothing scattered all around them. These were the clothes of the people sent from his village, so he knew they had been killed. Anger arose in the boy as he thought his village had been deceived by their enemy. He started to run toward the other village to uncover their betrayal but on the far side of the ravine, he found more piles of bones—some crushed, some gnawed upon, some broken with teeth marks along them. But the clothes surrounding them were unfamiliar, so the boy determined that it was not a betrayal; the villagers suffered from the same trouble as his own people.

Returning to the ravine, the boy saw tracks of a great beast heading toward the sunset. By the size of the tracks, and the damage to the trees, the boy knew that whatever creature made them must be enormous. He steeled himself with courage and set off in search of this terrible monster. He had gone only a short distance when suddenly there was a wild rustling in the bushes along the edge of the ravine. The earth began to shake as the boy heard footsteps pounding the ground and coming toward him. A roar rose over the trees that was so frightful that it could freeze a man's heart with terror. And then the trees were being trampled as the beast ran forward and sprang into the ravine. The boy was now face to face with Nia"gwahé!!! It appeared to be a bear, much larger than any other bear ever dream of, but had no hair and was all white. Its face was misshapen, its teeth curved fangs, its claws like knives, and it gave off an odor of death...it was a creature from a nightmare come to life!! Then the abomination stood on its hind legs, looming over the boy and preparing to charge. Quickly, the boy notched an arrow and loosed it from his grandfather's bow; it flew straight and true and pierced the beast's chest. Bellowing in pain and rage, Nia"gwahé fell to all four legs and lunged forward! The boy pulled out his grandfather's war club and shouted, "I am after you, you cannot escape me!"

The Naked Bear heard these magical words and stopped dead in its tracks. A look of surprise washed over its face and he asked, "What did you say?" Surprised to hear a monster bear talking, the boy repeated, "I am after you, you cannot escape me!" These were the same magical words that Nia"gwahé would say, over and over again, to lull his prey until they became weak and easy victims. Hearing his own charm flung back at him, Nia"gwahé was terrified of the boy's power, so he turned toward the setting sun and fled! But the boy knew Nia"gwahé could return so he set off after the beast, shouting "I am after you, you cannot escape me!"

Through the entire day, the boy chased after the monster. Along the way, he saw piles of bones and parts of human bodies that Nia"gwahé had torn to shreds. Each of these terrible sights made the boy run a bit

faster and his new moccasins carried him as if they too, possessed magical power. After some time, the boy became hungry from all his exertions so he stopped to eat some of the food his grandmother had prepared. As he reached for his traveling pouch, he heard a strange grunting coming from the trees behind him; there was also a fetid stench as Nia"gwahé blew his breath toward the boy. Quickly, the boy held his breath so the spell would not affect him. But when he opened his bundle, the parched corn had become a writhing and wiggling mass of worms and maggots!! "Ah-ghey!! You have the power to spoil my food!," yelled the boy. "But that will not stop me from destroying you. I am after you, you cannot escape me!" And the chase was on again!

Nia"gwahé ran and the boy followed but soon the sun fell below the hills and darkness descended on the earth. The boy knew he needed rest, so he stopped to build a small camp for the night. "I will kill that beast in the morning," he vowed to the black night and lay down to sleep. Just as he was about to doze, a thunderous commotion shook the forest to the west. The ground began to shake, and a dark, foreboding shape loomed behind the trees. The boy reached for his club when he heard a deep rumbling voice call out, "Are you asleep?" The boy replied, "Not yet; who wants to know?" The beast replied, "I am the one you are chasing and hope to kill. Your people call me Nia"gwahé and I have caused much death and destruction among the Ongwehoweh. When Peace came to the People, I could not work my evil and remain in secret. So, I caused the two villages to mistrust one another so the fighting would continue."

The monster went on, "Now that you have chased me all day and are soon to catch me, I know I am defeated. So, I came to beg for mercy and for you to spare my life." The boy snorted his reply, "Mercy?!? Why should I show you mercy when you never did for the Ongwehoweh? I think this is a trick of yours!" Nia"gwahé pleaded, "There is no trickery here. You are a great warrior with powerful medicine. If you spare me, I promise to leave this country and flee far to the north where I will remain, never to disturb or devour men ever again." The boy considered this offer but rejected it. The Naked Bear continued, "I will give you my teeth as a sign of my promise." "What good are teeth?!?" asked the boy. "There are the source of my power and magic," replied the monster, "whoever holds them will have the same magic." The boy thought about this for a while and accepted the terms offered by Nia"gwahé.

There was a series of groans and snapping sounds from the forest as Nia"gwahé yanked out his own teeth. Then the beast stepped through the trees and surrendered them to the boy. "Be gone now and do not return or, for sure, I will kill you!," bellowed the boy. The sound of rustling

through the bushes was heard again and the ground shook a little as Nia"gwahé lumbered off toward his new home. The boy put the teeth into a pouch and laid down to get his own rest.

The next morning, he ran to the village on the far side of the ravine. As he approached, he called out "Go-o-o Weh!!" three times, which brought the villagers out of hiding. He was taken to the chief of the village and a council was called. The boy, who now looked like a grown man, told everyone what had happened and showed the teeth to prove that Nia"gwahé had been sent away. He said, "That creature tried to upset the Peace and cause distrust between our people; we thought you had killed our runners and you may have thought the same of us. But it was all the work of the terrible beast. Our Chief still desires Peace; we should meet at the ravine in four days as originally planned. With Nia"gwahé gone, no harm will come to any of our people." The people of that village discussed the matter and agreed that Peace should be established for good. The Chief said, "Go back to your village and ask your Chief to meet at the ravine. Then we will live in Peace!"

As quickly as he could, the boy (now really a man) ran back to his own village. The people gathered around to hear his message and rejoiced that Peace was to be established for good and began to prepare to journey back to the ravine. "How did you become so powerful and so handsome a grown man?," many of them asked him. "I took hold of the white wampum and received the strength that my grandfather passed down to me," he would reply. "We thought you ordinary and weak and foolish," the warriors told him. "If silence and observation and learning and strong medicine are weak and foolish," said the boy, "then perhaps I am what you thought. But I only waited for the proper time to show my strength." The people gained respect for this man and knew he would become their new chief someday.

At the appointed time, everyone traveled back to the ravine. This time, the people from the other village were already there waiting for them. The Chief had dug a pit and asked the warriors to cast their weapons of war into this hole; each one did as asked. Then the Chief covered the pit and announced, "Now our weapons are buried, and we shall live in Peace!" Everyone rejoiced and began to make friends with people from the opposite village. Then the Chief who had proposed Peace brought out his drum and began to sing a new song. He instructed the people take each other's hands and dance in a single-file line around the ravine and the field and the forest. When the people heard this powerful song, it was as if they had all heard it before and everyone joined in the "Holding Hands Dance." And the Peace was firmly established. To this day,

medicine people use the teeth of Nia"gwahé for the proper ceremonies and people dance the Holding Hands Dance at socials and other times. Da-neh-Ho!

Questions to Think About

1. In what ways are you using culture to strengthen your team and participants? Are there additional cultural practices you can incorporate?
2. How can you help yourself and your team be more observant of people's strengths?
3. What wise practices do you learn about silence, observation, and learning?
4. What wise practices do you learn about strong medicine from the story?
5. As a judge and team, what wise practices can you incorporate to help your participants learn about living in peace?
6. What wise practices do you learn about culture and living in peace from your Nation's stories?

Culture can also be used to teach participants important principles, such as how valuable children are and how they should be treated. In the following story, a grandmother is reminded about the importance of caring for a young child. As you read the story, what other principles are taught that might be helpful for parents? Also think about stories from your Nation that teach important principles for your participants.

Thunder Boy—As Told by Perry Ground¹⁴³

This story happened a long time ago, back when the Great Turtle Island was new.

There was a Haudenosaunee family that lived in a small village near the Onondaga Hills. Everyone worked hard planting the Three Sisters so the villagers had plenty to eat.

One day, as the people were working in the fields, storm clouds started to gather in the West. The sound of thunder rolled across the sky. Suddenly, lightning flashes crashed down around the field and rain began to pour out of the sky! "The Grandfathers are angry!," yelled one of the elder men; "Hurry to the Longhouse!" A Mother and Father rushed toward their longhouse but their daughter, She Crosses the River, got lost in the rain and mist. As she tried to make her way to the longhouse, She Crosses the River began to feel light-headed and dizzy. Then she felt herself floating up into the air, as if carried by the mist.

¹⁴³ Ground, Perry (Onondaga), 2020. "Thunder Boy," Facebook, June 2, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=713183022774697&id=172120836880921.

After floating for some time, she was placed gently upon some grass...but in a place she had never seen before. She Crosses the River stood up and looked around; this place was different from her home but had a magical quality to it so she was not afraid. Then, she heard a rustling in the grass behind her; when she turned around, she saw a man walking toward her. He was tall, handsome, dressed in finely quilled clothing, and wore wampum jewelry. It was one of the sons of Heno, the Thunder Spirit. The man spoke and told She Crosses the River how he had watched her day after day—planting, collecting water, gathering strawberries, everything she did—and that he had fallen in love with her.

The Spirit said that he had brought She Crosses the River to his home among the clouds. Then he asked her to stay with him and to be his wife. She Crosses the River felt drawn to the Spirit as the son of Heno looked at her very lovingly. He held out his hand and said, "Take my hand and I will make sure you are always happy here." She Crosses the River hesitated, fearing that her family would miss her terribly. But looking at the handsome man, she fell in love with him and took his hand.

Happily, the new couple went to see Heno, the Thunder Spirit, to tell of their impending marriage. But Heno was angry with his son. "You should not have brought an ögwé'ö:weh (human being) to our land. Their ways are different than the Thunder People. She cannot eat the same food we eat." She Crosses the River stepped forward and told Heno that she had fallen in love with his son and that she had chosen to stay in their land. Heno said, "You must get food for her every day and treat her well," looking at his Son and smiling. The Thunder Spirit happily agreed and soon the two were wed.

They were very happy together. Each day, Thunder Spirit or his helpers would travel to Turtle Island and secure food for her. He built her a fine longhouse and granted her every wish. She Crosses the River thought of her family but was never lonesome. One day, after a year among the Thunder People, She Crosses the River waited inside the longhouse for her husband. When he entered, he saw the sullen and upset look on his wife's face. Rushing to her side, Thunder Spirit asked what was troubling her. "This longhouse is so small," she complained. "There is not enough room. And there are not enough beds." Thunder Spirit was surprised because they lived in the largest longhouse in the village, and it was only the two of them that lived there. "Why do we need more beds?" he asked. She Crosses the River smiled a mischievous smile and replied, "Where will the baby sleep in such a small house?" Thunder Spirit looked around; "What baby? There is no baby that needs to sleep in our house!"

he said. "Not yet...but soon," answered She Crosses the River with a gleam in her eye and her hands covering her belly. Understanding dawned on Thunder Spirit (even a Spirit man can be a little slow on the uptake sometimes!) like a wave crashing upon the shore and he bellowed out his happiest victory cry!!

All the Thunder People came running to see what was happening and were overjoyed to hear the wonderful news. But Heno was not happy with this news. "She Crosses the River cannot stay in our land when she has this baby. He can't be born here and must be raised among his own people," he said. The couple were devastated but knew that they must follow Heno's words. A mist started to form around She Crosses the River and she felt herself lifted into the air again. But before she left the land of the Thunder Beings, Heno told her that "You will have a son and he will be very special. But you must protect him. Be sure that no one ever strikes this child because if they do, you will lose him forever."

Then, She Crosses the River was carried away on the mist. She became dizzy again and felt herself floating through the air. She was placed on some grass and her mind began to clear. She looked around and saw that a storm was clearing; in the distance she saw her village and her parents. They were overjoyed to find their daughter returned home but could not believe her story of living in the clouds. They thought that she had been captured by Algonquins or Hurons and had escaped but was too traumatized to remember.

After a short time, the words of Heno came true...She Crosses the River gave birth to a baby boy. She loved the boy just as she had loved his father and protected him from all harm. But as the boy grew, his family noticed something different about the boy as he loved to be outside when it rained. Every time a storm would approach, the boy would run outside and play in the rain. The closer and louder the thunder and lightning, the happier the boy would be. "Your father says he loves you," She Crosses the River would tell him, "so I will call you Thunder Boy." But Thunder Boy's Grandmother did not like it when he played in the rain; she still did not believe her daughter about living in the clouds.

One day, She Crosses the River had to travel far into the woods to collect food and medicine. Thunder Boy stayed with his Grandmother in their longhouse. Around midday, storm clouds began to gather and the rumble of thunder could be heard. Thunder Boy was very excited but the Grandmother would not let him outside to play. She locked him inside the longhouse! Thunder Boy became angry and stomped around the house...throwing things, breaking things, yelling, and stamping his feet. Grandmother told him to quiet down but Thunder Boy only became louder.

Outside, the storm grew more intense; thunder crashed all around the longhouse, bolts of lightning singed the air, and rain pelted the house and fields. Everyone was frightened except for Thunder Boy; he grew more excited and louder as the storm grew fiercer. Thunder Boy begged to be allowed to go outside to greet his father. Eventually, Grandmother could take no more noise. She grabbed a switch, forgetting that She Crosses the River had warned them about never striking Thunder Boy. When Thunder Boy came running past her—yelling and carrying on—Grandmother lashed out with the switch and hit Thunder Boy across the legs. Suddenly, there was a tremendous roar of thunder and a blinding flash of lightning inside the longhouse! A strange mist filled the entire house; everyone cowered in the corners and on the beds until the wind swept the mist away. When she did open her eyes, Grandmother realized that Thunder Boy was gone.

When She Crosses the River returned and heard what happened, she cried with sadness. "You have struck my child and now he is gone forever. He will live in the clouds with his father and all the Thunder Beings," she said. Thunder Boy stayed with his father but always remembered that he was part Haudenosaunee; often in the Springtime, Thunder Boy will visit and bring rain for the gardens of his people. Today, when the Haudenosaunee hear thunder roll across the sky, we are reminded of this story and that we should not strike our children in anger. Da-neh-Ho!

Questions to Think About

1. What wise practices does the story Thunder Boy teach about children and how we should care for them?
2. What is a story in your culture that could be used to teach wise practices involving children to your THWC participants?
3. What stories from your Nation will help your participants live in recovery?
4. How could you share these wise practices and story with your participants?
5. Is it part of your role as judge, or should someone else on the team share the story with participants? Your Nation's culture will dictate the appropriate answer.

Concluding Questions

1. What wise practices about treatment, culture, tradition, and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about treatment and the use of culture and tradition?

Chapter 8: Key Component #5 - Intensive Supervision

THWC participants are monitored through intensive supervision that includes frequent and random testing for alcohol and drug use, while participants and their families benefit from effective team-based case management.

This is the Key Component that differs from the State Drug Court Key Components, in that it recognizes that intensive supervision includes drug testing and team-based case management. Case management in the drug court setting is defined as a

series of inter-related functions that provides needed coordination and seamless collaboration, and is the force that holds the varied and many drug court elements together, ensuring that: 1. Clients are linked to relevant and effective services; 2. All service efforts are monitored, connected, and in synchrony; and 3. Pertinent information gathered during assessment and monitoring is provided to the entire drug team in real time. Essentially, case management forms the framework around which the drug court process can credibly and effectively operate.¹⁴⁴

As with treatment, the judge does not provide case management services, but needs to understand its role and lead the team in its implementation. Not all THWCs have case managers and team members share case manager duties. Thus, a judge may need to work with the team to ensure case management is occurring and develop case manager policies and procedures for when a case manager position is occupied and when it is not. Other policies that need to be implemented are policies and procedures for obtaining confidentiality waivers and the appropriate manner for sharing information. A Memorandum of Agreement (MOA) or interagency agreement can also be developed that facilitates the sharing of information in real time and who is allowed to share it with the team to develop a coordinated response.¹⁴⁵

As noted in this Key Component, an FTC should provide participants with intensive supportive case management, which includes services for children, parents, and family members.¹⁴⁶ Case managers should use reliable and valid needs assessments to develop a coordinator case plan and monitor the case plan with the family to ensure that all family members are receiving needed services.¹⁴⁷ The judge then leads the team in discussing the participants' progress according to case manager reports.

¹⁴⁴ Monchick, Randy, Anna Scheyett, and Jane Pfeifer, *Drug Court Case Management: Role Function, and Utility* (National Drug Court Institute 2006), ix.

¹⁴⁵ Flies-Away, Joseph T., Carrie Garrow, and Pat Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 2nd ed. (Tribal Law and Policy Institute, 2014), 41.

¹⁴⁶ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 114.

¹⁴⁷ *Ibid.*

The second part of intensive supervision is drug and alcohol testing. Judges must ensure there are drug testing policies and procedures and that they are followed. Testing should be frequent, at least twice a week until participants are in the last phase and preparing for graduation.¹⁴⁸ Testing must be random and unpredictable and participants should be required to provide a specimen as soon as practicable after being notified.¹⁴⁹ Testing should continue through all phases of THWC while treatment and supervision is adjusted or finished.¹⁵⁰ Testing for a broad range of substances should occur periodically and randomly to detect new substances.¹⁵¹ Drug tests must be observed by individuals that have been trained in preventing tampering with the test.¹⁵² The specimens should be examined routinely for dilution and adulteration.¹⁵³ Testing procedures must be scientifically valid and reliable and a chain of custody should be in place, if the specimen is sent off-site.¹⁵⁴ Test results should be available to the team within forty-eight hours.¹⁵⁵ The drug testing requirement should be contained in the THWC participant contract and the judge should explain this the requirement to the participant upon entering THWC.¹⁵⁶

A Coordinated Team Effort

Intensive supervision requires a team effort. Often case management services will be spread over several agencies, requiring a team effort. Also, sometimes several agencies may be drug testing the participant. All these parts of intensive supervision have to be coordinated and work together. The story *How Birds Got Their Colors* demonstrates the importance of working together. If there were not several birds to help the wolf, what would have happened to him?

*How Birds Got Their Colors—As Told by Perry Ground*¹⁵⁷

This story happened a long time ago, back when the Great Turtle Island was new.

¹⁴⁸ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 26; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 97.

¹⁴⁹ Ibid.

¹⁵⁰ Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 98.

¹⁵¹ Ibid., 27.

¹⁵² Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 98.

¹⁵³ Ibid.

¹⁵⁴ See note 150, NADCP, Best Practice Standards Vol. II, 27.

¹⁵⁵ See note 151.

¹⁵⁶ Ibid.

¹⁵⁷ Ground, Perry (Onondaga), 2020. "How Birds Got Their Colors." Facebook, August 2, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=755973128495686&id=172120836880921.

One day, Raccoon was sitting up in a tree just being lazy. But he was always looking to tease and play tricks on someone so, when Wolf walked by minding his own business. Raccoon saw his chance. "Hey Stinky Breath, where ya' going?" called out Raccoon. Wolf tried to ignore him. "Gotta go pee on a tree?" asked Raccoon, giggling to himself. Wolf kept walking. "Well, have fun when you sniff someone's backside!," yelled Raccoon and Wolf could not take it anymore! Wolf jumped up into the air and swiped at Raccoon. He missed...but his paw caught the end of the branch Raccoon was sitting on; the branch shook up and down so hard that Raccoon fell off! He plopped on the ground and Wolf started stalking toward him. Growling and baring his sharp teeth, Wolf said, "That will be the last time you tease me...I'm feeling a bit hungry!" Before he became lunch, Raccoon jumped up and took off into the forest; Wolf leapt up and chased him through the trees and bushes. They ran and ran until Raccoon dove through some dense shrubs; he came out the other side at the edge of a river. This gave Raccoon another tricky idea!! He scampered up a tree and crawled onto a branch that hung over the water. Wolf burst through some bushes and saw the Raccoon in the water.

"I have you now!" yelled Wolf as he pounced on his tormentor. But it was only Raccoon's reflection and Wolf ended up with a snout full of water! He sputtered and splashed around trying to grab his foe; when Wolf realized his mistake, he staggered to shore as Raccoon laughed above him. "You may be laughing now," said Wolf, "but I'm going to lay here waiting for you to come down. Then, I'm going to have Raccoon for dinner!" Wolf laid down at the base of the tree and Raccoon realized he might be stuck in that tree for a while. But Wolf was tired from all that running and splashing around. As the Sun rose higher and the day got warmer, Wolf started to get very sleepy. He laid his head on his paws and soon was sound asleep. Raccoon knew this was his chance to escape! He climbed down the tree as quietly as he could and leapt to the ground. The riverbank was now covered with mud after Wolf had splashed water everywhere. This gave Raccoon another tricky idea!

He scooped up some mud and carefully covered Wolf's eyes. Then Raccoon silently laughed and ran off, knowing the Sun would dry the mud and Wolf's eyes would be stuck shut! After a long nap, Wolf woke up. Sure enough, the mud was stuck to his eyes, and he could not see anything. Wolf began to whine and cry, "I can't see! Raccoon has used magic on me, I can't open my eyes! Someone help me!" But all the animals were afraid of Wolf, and no one would come to help him. He cried and howled and cried. Finally, a small brown bird asked, "What is the matter Brother Wolf?" as he flew nearby. "That tricky Raccoon has done something to my

eyes and now I can't see," whined Wolf. "Can you help me?" The little bird answered, "I am just a small brown bird, but I will try to help you."

"If you can help me to see again, I will give you a wonderful gift," said the Wolf. The small brown bird flew down and landed on Wolf's muzzle; he was very nervous as he had never been this close to a Wolf before. He started to peck away the dried mud covering Wolf's eyes. The small brown bird started to get tired, so another bird came and took his place. After a while, another bird came and continued pecking away at the dried mud. After quite some time, the dried mud began to fall off. The birds kept pecking until the small brown bird was able to remove the last piece. "I can see again; I can see again!" cried the Wolf. "Thank you, small brown bird for helping me," he said as his jaws opened wide in a toothy grin. "Now I shall give you the gift that I promised," said Wolf.

He turned up his face, opened his mouth very wide and let out a howl of joy that his vision had returned. "Come with me to a special place where red dye oozes from a certain rock. I will make paint and color your feathers to celebrate your good deed," said Wolf as he started off into the forest. "But it wasn't just me," said the small brown bird. "Many birds helped me get the mud off your eyes. I think they should receive the gift also." Wolf agreed and told all the birds to follow him. On the way, Wolf found a twig and chewed the end, turning it into a paint brush. He gathered some berries and dirt and leaves and bark and crushed stone and other things to make paint; Wolf mixed them with the red dye to make a rainbow of colors. Wolf dipped the brush into the colors and painted the feathers of all the birds, thanking each one for helping him. Last came the small brown bird and Wolf said, "Since you were the first to help me, I have a magnificent color for you." Wolf painted this bird a beautiful red color with only a little black mask across his eyes. "Now you will be called Red Bird (Cardinal), and your feathers will remind everyone that I am grateful for your help."

Wolf and Red Bird are still friends to this day and when Haudenosaunee see a Cardinal, we are reminded of this story and that we should be appreciative of help given by those around us. Da-neh-Ho!

Questions to Think About

1. Have you ever had a participant that you were worried or scared to help?
2. How did you work together to help that participant?
3. What wise practices do you learn from this story about the importance of working together with case managers or team members that are providing different case manager services?

4. How do you show your gratitude for all the team members working together to provide supervision?
5. What wise practices about leadership do you learn from this story?
6. What wise practices do you learn from your Nation's stories about working together?

Case Management and Trusting Others

If case management is new to your team, as the judge and leader, you will have to teach and lead team members to work together to provide case management or work with your case manager. Additionally, you will need to lead participants in requiring and encouraging them to work with their case managers. Initially, participants may not trust their case manager. The story *Hunger Learns a Lesson from the Little People* teaches the importance of allowing people to help us.

Hunter Learns a Lesson from the Little People—As Told by Perry Ground¹⁵⁸

This story happened a long time ago, back when the Great Turtle Island was new.

There was a young boy who lived with his grandmother. Each day, she sent him out into the forest to hunt and trap so their family would have something to eat. The boy was learning the skills to become a man and was becoming a good hunter. One day, while trying to trap birds but only getting pecked in the hand and arm, the boy decided to take his bow and arrow down to the river to shoot some waterfowl. He reached the shore, notched an arrow and looked around for ducks or geese to hunt. As he waded into the river, there was a great splashing noise from upstream! The young hunter looked in that direction but there was a bend in the river. The splashing and swishing noise was coming closer and, frightened, the young hunter started to climb up the riverbank.

Just then, a very small canoe came around the bend in the river. The boat was moving very quickly because the two men in the canoe were paddling very hard. But what amazed the young hunter was how small the men were...they were the tiniest people the boy had ever seen!! The two men were no taller than the young hunter's knees but were full-grown, older men. And they could paddle that canoe FAST! The young hunter had heard of these Jo-gä-oh (Little People) but didn't know anything about them. As the young hunter watched, the two small men paddled the canoe toward the shore and came right up to where he was standing. Both had a tiny bow and a quiver full of arrows.

¹⁵⁸ Ground, Perry (Onondaga), 2019. "Hunter Learns a Lesson from the Little People." Facebook, August 2, retrieved on October 14, 2023, <https://www.facebook.com/perry.ground/posts/10210848373804550>.

They took up their bow and arrows and started to climb out of their tiny canoe. The young hunter was about to run away when both the tiny men greeted him and asked how his hunting was going. Surprised by their friendliness, the young hunter replied, "Not very well, Uncles. I haven't shot any game today and my family may be hungry later tonight." The two small men shook their heads in understanding. Then, one of the men held up his bow and quiver and asked, "Would you like to trade your bow and arrows for mine?" The young hunter looked at what the tiny man was holding up; it looked to be finely made but was very, very small. He thought it would be no good to have something so small. The young hunter replied, "How foolish it would be for me to trade...your bow and arrows are so much smaller than mine!" The two tiny men laughed and the one holding up his bow took an arrow from his quiver.

He notched the arrow and shot it at a hill far downstream. The arrow flew into the air and over the hill!! It flew so far; the young hunter could not even see it come down! The two tiny men jumped back into their canoe, gave a couple quick strokes of their paddles, and zipped away in their canoe. A couple more quick strokes of the paddles and they were gone around the next bend in the river! The young hunter was speechless, he was so surprised. So, he went home empty-handed and told his Grandmother what had happened.

When she heard his story, her eyes got big and Grandmother scolded her grandson, "You made a big mistake in refusing that trade. Those were Jo-gä-oh and they are magic! Had you taken that bow and those arrows, you could have taken any game that you wished!! We would never have been hungry again!" The young hunter was chagrined but protested, "That bow was so small; it would have been no good to me." Grandmother shook her head again and said "The Jo-gä-oh are small but have powerful magic. All great things on Turtle Island are not the biggest. I hope you learn that soon." The young hunter was ashamed that he had refused the trade. His Grandmother comforted him but advised "Never be too hasty in judging people as you see them for you never know who or what they may be." The young hunter learned a valuable lesson but forever wished he had a magic bow from the Little People. Da-neh-Ho!

Questions to Think About

1. What did the Little People do when the young hunter was about to run away?
2. How did their friendliness change his mind?
3. How can you as a judge be like the young boy's grandmother and encourage your team and participants to work with case managers?
4. Have you ever refused help and why did you refuse it?
5. What wise practices do you learn about trusting those who might help you and your team?
6. What wise practices do you learn about trust from your Nation's stories?
7. How can you implement these practices?

Intensive supervision can be difficult and case managers, coordinators, and anyone doing the drug testing are sometimes viewed with distrust or fear. Sometimes even teams have difficulty working together on these issues. The Orphan Girl was approached by someone she should have feared, the Giant Serpent. Why did she learn to trust him?

*The Orphan Girl Rescued by a Giant Serpent—As Told by Perry Ground*¹⁵⁹

This story happened a long time ago, back when the Great Turtle Island was new.

There was a village of Haudenosaunee people near the shore of a large lake. In this village lived an orphan girl. For some reason, the people of the village were very mean to this girl, treating her badly and making her work very hard. She kept to herself most of the time but wanted nothing more than to have one friend to look out for her.

Summer arrived and the huckleberries were ripe. The berries grew on an island in the middle of the lake so the people decided to take a large gathering party there and would return that evening. The orphan girl was invited to go along, which made her very happy, but there was evil behind this plan. The people conspired to leave the Orphan Girl behind. When the canoes reached the island, it was agreed that everyone would return as the sun went down. The orphan girl set out to fill her basket with berries, not knowing that the others were watching her walk away.

As the Orphan Girl when off to gather huckleberries, the rest of the villagers watched her go. Quietly, they dashed to a different part of the island and filled their baskets with delicious berries as quickly as they could. Then, unknown to the Orphan Girl, they all hurried back to the canoes and paddled back to the village! The Orphan Girl was happily filling her basket with berries, careful not to eat or drop even one berry, hoping it would make everyone happy with her.

As Elder Brother (the Sun) started to go down, the Girl headed back to the shore to meet everyone. But when she arrived where the canoes had been, she found that they were gone. She had been left behind on the island! The Orphan Girl knew she was doomed because the people came to that island only once a year to pick berries; she realized that this had been their plan all along. She sat on the edge of the water, looking toward the village, and began to cry.

¹⁵⁹ Ground, Perry (Onondaga), 2020. "The Orphan Girl Rescued by a Giant Serpent." Facebook, March 26, retrieved on October 14, 2023, https://www.facebook.com/permalink.php?story_fbid=667504314009235&id=172120836880921.

She fell asleep with tears still flowing...but was awakened sometime later by the sound of a voice. It was a male voice, calling her name. But it was dark, the Orphan Girl could not see who was speaking. The voice spoke up, "Your people left you behind to perish, I saw them do it, but I will not leave you here to die." The voice continued, "Tomorrow morning, I will carry you back to your village. But first, you must gather twelve shoots of the Red Willow (a strong medicine plant); you will use these to encourage me if I begin to slow or sink into the water." The Orphan girl agreed to do this. The voice then said, "Most important is that you not be afraid when you see me. Your people call me a Monster, but my real name is 'Djo-nih-gwa-donh' and I am not evil. You will sit between my horns, and I will carry you to the across the water. We must hurry because if Heno (Thunder Spirit) sees me, he will attack with his lightning and that is all I fear in this world." Then, there was a great splashing sound, but the Orphan Girl was not afraid. She returned to sleep but now with no tears flowing.

In the morning, she gathered the Red Willow shoots. When she returned to shore, a great massive head, with two large, pointed horns, rose out of the water...it was a Great Horned Serpent! The Giant Serpent laid his head near the Orphan Girl's feet. She was not afraid and climbed on top of his head, between the two horns. Then, the snake turned back to the water and started to glide toward the far shore with his head held up out of the water. After a little while, the serpent seemed to slow and started to sink into the water; the Orphan Girl remembered the instructions the voice had given the night before, so she took one of the Red Willow whips and gave the snake a sharp lash. "Ja-gonh," she shouted (meaning Let's Go/Hurry) and Djo-nih-gwa-donh started to swim faster, lifting his head higher out of the water. "Throw away that Red Willow shoot, its magic is used up," instructed the Horned Serpent. The Orphan Girl did as instructed and rode until the serpent started to slow again. She used another Red Willow to encourage him and once again they started to go faster.

It went on like this for a while and soon the girl could see the mainland; but when she looked into the sky, she saw a thunder cloud had formed. And it was coming toward the lake...fast! "Oh no, Heno has seen me!" shouted Djo-nih-gwa-donh. "I don't know if we will make it to shore in time!" The Orphan Girl used another Red Willow, and the serpent swam faster but the Thundercloud was coming closer and closer. The serpent was swimming as fast as he could, but the Orphan Girl had to use the Red Willow whips more often to keep him moving.

Soon, they were very close to shore but now the Thundercloud was upon them. The wind and rain were whipping all around them and Heno sent his lightning bolts crashing down. Djo-nih-gwa-donh spoke to the girl, "I have done my best to get you home and I think you will be safe. But I must warn you, do not tell anyone how you got back to the village. The people will fear and

respect you since they had left you behind to die." The Orphan Girl promised not to tell. The Serpent continued, "Later, you will find a special charm from me; keep it with you always for good luck and protection. When the time comes for the special dance for charm holders (this is part of the longhouse ceremony cycle), have a feast in my honor. Put sacred tobacco in the fire and have a song for me. If you do this, your days will not be like the past but rather you will be respected by all the people." Again, the Orphan Girl agreed. The lightning bolts were coming closer and closer, and she worried for her new friend.

They were almost to the shore when Djo-nih-gwa-donh said, "I can go no farther; Heno is about to strike me with his lightning. But you can make it to shore from here." The Orphan Girl jumped into the water and found it very shallow. As she hurried to shore, she heard a great splashing as the Giant Serpent dove for deeper water, but Heno sent many lightning bolts crashing down. They struck the spot where the serpent had been and there was a great thrashing and churning of the water. The Orphan Girl was not sure if her friend had survived or not. The water stilled and the Thundercloud moved away, leaving the girl to worry about her savior. Then, she reached into the pouch tied to her belt and found the gift that Djo-nih-gwa-donh had promised. It was a scale from the Giant Horned Serpent, and she knew it would bring her luck and protection as promised. The Orphan Girl went back to her village and all the people rejoiced that she had returned (even though they were surprised more than happy) but no one spoke of how she had been saved. Soon, the special dance was called; the Orphan Girl followed the instructions she had been given. All the people treated her well and she was given a place of her own inside a longhouse. She lived the rest of her days in happiness always remembering how her friend, Djo-nih-gwa-donh had saved her. Da-neh-Ho!

Questions to Think About

1. Why did the Orphan Girl trust the voice of the Giant Serpent?
2. What wise practices do you learn from this story that you can incorporate into your team's case management?
3. What wise practices do you learn from the people in the village? In what ways do we sometimes as teams act like the village people?
4. What wise practices do you learn from your Nation's stories about trust?
5. What wise practices can we implement to make sure that we are always helpful and include others?

The Importance of Case Management and Collaboration

Case managers work on helping participants find the services and assistance they need to learn to live in recovery, in addition to services that will assist the participants and families with housing, education, parenting skills, and improving overall health. Our role as judges includes making sure we have case management services to provide to participants, which may require to seek funding from our Tribal governments or outside funding. In the following story, many animals are needed to assist the people with moving to the Upper World.

How People Came to the Upper World (Hopi)¹⁶⁰

In a time before anyone's memory, the people lived in the underworld. There was peace and happiness, and life was good there. But then things began to change. Cheating, quarreling, and gossip became common. There was no longer any peace or happiness. So, the chief called a council. There were tears in his eyes as he spoke. "We must find a new place to live," he said. "We must find a way out of this land so that our lives can be good again." The people listened to every word their chief said. When he was done, they answered him. "Our chief," they said, "we will walk in your path and do whatever you ask of us." "I will be watchful and look ahead in my path so that I may not mislead you," the chief replied. "Tonight, we will make pahos—prayer offerings—and ask the gods for mercy and blessings. Tomorrow we will meet here again." The people went to their homes that night with hope in their hearts.

When the next day came, all assembled once more to pray for guidance. On the third day, the chief again gathered the people in a circle. "We have made our offerings. Now we must call upon someone wiser. We must call Mockingbird to come and guide us." So, the people sang the calling song and Mockingbird came to them. "What do you want?" Mockingbird said. "What can I do for you?" "We need help and guidance," the chief said. "That is why we have made these for you." Then he offered the pahos to the mockingbird. "I am wise," Mockingbird said, "but Wild Canary is wiser. You must call him. I will hide so that he will not feel insulted because you called me first."

Then Mockingbird hid while the people sang the calling song a second time, and Wild Canary came to them. "Welcome," the people said. "What do you want of me?" Wild Canary asked. "We called because you are the wisest of all. We need your guidance." "You are right to call me," Wild Canary answered. "My feathers are to be used first in prayer offerings. But I need the help of Mockingbird. You must call him at once." The people sang the calling song a third time, and Mockingbird came flying back. Mockingbird and Wild Canary then flew up into the sky together. When they came back, they had changed into two tall men with long black hair.

¹⁶⁰ Bruchac and Bruchac, *The Girl Who Helped Thunder and Other Native American Folktales*, 48–51.

Then the two birdmen called down to Eagle. "Fly up," the two birdmen said to Eagle. "See if there is an opening in the sky to the world." Eagle did as they asked but was not able to fly high enough to find an opening above the clouds and so he came back down.

Now Hawk was called. Hawk flew so high that he grew faint and fell down. Had Eagle not caught him, he would have been killed. Swallow was the next one called. When he flew up, he, too, fell and was caught by Eagle. But Swallow had a story to tell. "There is an opening up there," Swallow said. "But the wind is so strong that no one without wings can get through." "What can we do?" asked the chief. "How can we reach the world up there?" That is when a small boy who sat way in the back spoke up. "I have an idea about what can be done," he said. "Come up to my side," said the chief. "I am small," said the little boy, "but I wish with all my heart to help. I know of a little creature named Chipmunk. He gathers the seeds of all the trees. He might be able to grow a tree that will reach up through the sky." "Your idea is a good one," the chief said. "Let us call Chipmunk."

Then Mockingbird picked up his rattle and began to sing. Soon Chipmunk came running over the rocks to join them. "What can I do for you?" Chipmunk asked. "Can you plant a tree that will reach through the clouds to the new world?" asked the chief. "We have been trying to find a way to get there." "I can plant trees and sing to make them grow fast," Chipmunk said. "I do not know if they will grow tall enough, but I will try with all my heart."

Then Chipmunk planted the seed of a spruce. He sang the first of his songs, and it quickly grew very tall, but it did not reach the sky. The second tree he planted was a fir pine, which also was not tall enough. With his third song, Chipmunk made a long-needle pine grow. It reached higher than the others but was still short of the hole in the sky. Now Chipmunk had only one song left. He went to the place where a hollow reed was growing. He took a little shoot and then planted the reed and sang his song. The reed began to grow. It grew so high that its top went out of sight beyond the clouds. The birds flew as high as they could and came back down to say that the reed had, indeed, grown through the hole in the sky.

The people were overjoyed, but wondered if they would be able to climb up the smooth sides of the reed. "Do not worry," Chipmunk said, "The reed is hollow. You can climb up the inside." Then Chipmunk used his sharp teeth to cut a hole in the bottom of the reed so that the people could climb inside. One by one, the people entered the reed, singing songs to help them on their way. And so, they passed up from the world below where things had become bad to the new world of light and hope where they still live to this day.

Questions to Think About

1. What characteristics did the animals possess that helped them work together?
2. What wise practices do we learn about case management from this story?
3. What wise practices do you learn from your Nation's stories about case management and working together?
4. How can we convey the importance of case management to our team, governments, and communities?

Intensive supervision can be overwhelming in many ways. Whether you have a case manager or not, you need to coordinate all the requirements different agencies impose on your participants. If the requirements are redundant, such as social services, treatment, and the THWC coordinator and case manager are drug testing a participant every week, it can be overwhelming for the participant. It is also overwhelming to case managers and other team members when agencies do not coordinate, because duplicate services are being provided. This is particularly frustrating when your team is supervising many participants and has little time to waste on redundant services. Intensive supervision can also be overwhelming to participants because if it is not provided in a good way, they will continually be watched over, as opposed to being helped. The following story teaches us what happens when we are watched constantly.

*Why the Moon Has One Eye*¹⁶¹

Long ago, Moon and Sun were made to always keep watch over all the children of the earth. They kept their bright eyes on the earth all the time. Sun looked down from the sky during the days. Under his bright light, the flowers and trees and other plants grew. The birds flew and sang, and the animals went about their way. The people also worked and played all throughout the day. And that was good.

Moon looked down from the sky during the nights. Her eyes were just as bright as those of her husband, the sun. So it was that there was never any darkness. Just as it was during the days, the flowers and trees and other plants grew. The birds flew and sang, and the animals went about their way. All throughout the night, the people worked and played. And for a while, that also was good.

But because there was no darkness, it was hard for all the children of earth to rest. The flowers and trees and other plants grew without stopping, and they began to grow tired. The branches of the trees hung down in weariness, and the corn found it hard to stand tall. The flowers could barely lift their heads. Because they were always flying and singing, the birds grew hoarse, and their songs were no longer so beautiful. The animals became so tired that it

¹⁶¹ Ibid., 57–58.

was hard for them to get food. The people were so worn out from always working and playing that they no longer laughed and smiled. They just walked about as if they were carrying great weights on their shoulders. The moon and the sun saw that things upon the earth were no longer good for their children. “We must do something so that our children can rest,” Moon said. “I will give up one of my eyes,” Sun said. “Then it will no longer be as bright during the daytime.” “No,” Moon said. “It should be bright during the days. There must be light so that all our children can go about their way. I am the one who must give up one of my eyes. Then there will be darkness in the nights and things will be good again.”

So it was that Moon gave up one of her eyes. Now the night was no longer so bright as it had been. All the children of the earth—the plants, the birds and animals, and the people—could rest during that time of darkness. Even though her light was less than before, Moon’s one eye was still quite bright. So it was that she decided to close her eye a little bit at a time throughout each month until it was all dark. Then she would begin to open her eye again. Although Moon has only one eye, the Pueblo people say that she is even more beautiful than she was before. The sun is also beautiful, but his eyes are so bright that no one can gaze directly at him without feeling pain. Moon’s light, though, is so gentle that even when she is at her brightest, the people can gaze up at her to give thanks for the gift of darkness that she gave through her sacrifice.

Questions to Think About

1. What happened to the people, animals, and plants when there was constant light?
2. Why is rest important?
3. What wise practices do you learn about intensive supervision from this story?
4. What wise practices do you learn from your Nation’s stories about supervision?
5. As a judge, how can you help your team members implement some of these wise practices?

Emphasizing the Importance of Honesty

As your team supervises participants, which includes drug testing, participants need to learn to be truthful about using drugs and alcohol. Participants will sometimes try to manipulate different team members, as this is a skill they have used to survive and will not always be honest. Some may try to manipulate drug tests or lie about whether they have used drugs and alcohol. Sometimes team members will also not disclose information because their neutrality has slipped, and they do not want the participant to face consequences for their behavior. Judges need to emphasize to participants, and team members, the importance of honesty, whether it’s about a positive drug test or breaking curfew. In the Hermit Thrush Story, we learn what happens to us when we are not honest.

*The Hermit Thrush*¹⁶²

Long ago, the Birds had no songs. Only Man could sing, and every morning, Man would greet the rising Sun with a song. The Birds, as they were flying by, would often stop and listen to the beautiful songs of Man. In their hearts they wished that they too could sing. One day, the Good Spirit visited the Earth.

The Good Spirit walked over the earth inspecting the various things he had created. As he walked through the forest, he noticed that there was a great silence. Something seemed to be missing. As the Good Spirit pondered, the sun sank behind the western hills. From the direction of the river, where there was an Indian village, there sounded the deep rich tones of an Indian drum, followed by the sacred chanting of the sunset song. The Good Spirit listened. The song was pleasing to the ears of the Good Spirit. The Good Spirit looked around. He noticed that the Birds were listening to the singing. "That is what is missing!" said the Good Spirit. "Birds should also have songs."

The next day, the Good Spirit called all the Birds to a great council. From near and far they came. The sky was filled with flying birds. The trees and bushes bent to the earth under the weight of so many. On the great Council Rock sat the Good Spirit. He waited until all the Birds had perched and had become quiet. The Good Spirit spoke. He asked the Birds if they would like to have songs; songs such as the People sang. With one accord, the Birds all chirped, "Yes! Yes!" "Very well," said the Good Spirit. "Tomorrow when the Sun rises in the East, you are all to fly up in the Sky. You are to fly as high as you can. When you can fly no higher, you will find your song. That Bird who flies the highest will have the most beautiful song of all the Birds." Saying these words, the Good Spirit vanished.

Next morning, long before sunrise, the Birds were ready. There were Birds everywhere. The Earth was covered with them. There was great excitement. However, one little Bird was very unhappy. He was the little brown Thrush. Perched beside him was the great Eagle. As the little Bird gazed at the Eagle, he thought, "What chance have I to compete with this great Bird? I am so little, and Eagle is so large. I will never be able to fly as high as he." As he was thus thinking, an idea entered his mind. "Eagle is so excited that he will not notice me." With this thought in mind, the brown bird flew like a flash to the Eagle's head, and quickly hid under his feathers. The great Eagle was so excited that he did not notice the little Thrush. "With my great wings, I will surely win," said he. The Sun finally looked over the eastern hill. With a great roar of wings,

¹⁶² Tehanetorens, *Tsitha Ronikonrhaton: The Hermit Thrush* (Fort Covington: Akwesasne Notes, 1980).

the many birds took off. The air was so full of flying birds that for a time, the sky was dark. Their bodies covered the face of the Sun. For a long time, the birds flew upward. Finally, the smaller, weaker birds began to tire. The little Hummingbird was the first to give up. His little wings beat the air so hard that to this day one can, if one listens, hear his humming wings. His little squeaking call says, "Wait, wait for me," a very plain song. The fat Cowbird was the next to give up. As he floated down, he listened and heard his song, a very common song. Other birds weakened and while flying eastward, listened and learned their songs.

At last, the Sun was at the end of the Earth. The Night Sky began to darken the Earth. By this time, there were only a few Birds left. They were the larger, strong-winged birds: the Eagle, Hawk, Owl, Buzzard, and Loon. All night, the Birds flew up, ever up. When the Sun rose next morning, only the Eagle, chief of all Birds, was left. He was still going strong. When the Sun was halfway in the Sky, Eagle began to tire. Finally, with a look of triumph, for there were no other birds in sight, the tired Eagle began to soar earthward. The little Thrush, riding under the feathers of the great Eagle, had been asleep all this time. When the Eagle started back to Earth, the little Thrush awoke. He hopped off the Eagle's head and began to fly upward. Eagle saw him go and glared with anger at him but was powerless to stop him as he was completely exhausted.

The little Thrush flew up and up. He soon came to a hole in the Sky. He found himself in a beautiful country, the Land of Happy Spirits. As he entered the Spirit World, he heard a beautiful song. He stayed in heaven for a while learning this song. When he had learned it completely, he left the land of Happy Spirits and flew back toward Earth. Thrush could hardly wait to reach the Earth. He was anxious to show off his beautiful song. As Thrush neared the Earth, he glanced down at the Council Rock. There sat all the Birds, and on the Council Rock, glaring up at him was Akweks, the Eagle. All the Birds were very silent as they waited for Thrush to light on the council ground. Suddenly, the feeling of glory left the little Thrush, and he felt ashamed. He knew that he had cheated to get his beautiful song. He also feared Akweks, who might get even with him for stealing a free ride. He flew in silence to the deep woods, and in shame, with dragging heart, hid under the branches of the largest Tree. He was so ashamed that he wanted no one to see him. There you will find him today. Never does the Hermit Thrush come out into the open. He is still ashamed because he cheated. Sometimes, however, he cannot restrain himself and he must sing his beautiful song. When he does this, the other Birds cease their singing. Well, they know that the song of the Hermit Thrush, the song from the Spirit World, will make their songs very weak. That is why Hermit Thrush is so shy. That is why his song is the most beautiful of all the Birds. That is why this Spirit Song causes the Sun to shine in the hearts of the People who hear it as they go into the dark forest.

Questions to Think About

1. Why was the Thrush unhappy when he sat with the other birds before they took off?
2. Why are your participants sometimes unhappy?
3. Why was the Thrush ashamed?
4. Why do your participants sometimes feel shame?
5. What can you do to help your participants deal with shame?
6. What wise practices do you learn about honesty?
7. What wise practices from your Nation's stories do you use to promote honesty within your team and with your participants?

Concluding Questions

1. What wise practices about case management, supervision, and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about supervision that can help you and your team?

Chapter 9: Key Component #6 - Incentives and Sanctions

Progressive rewards (or incentives) and consequences (or sanctions) are used to encourage participant compliance with the THWC requirements.

Healing to Wellness Courts use positive reinforcement methods, often referred to as incentives to promote sustained behavior change.¹⁶³ Sanctions are also used as consequences for choices that are not compatible with living in recovery.¹⁶⁴ Therapeutic adjustments should be considered prior to and along with sanctions. Each THWC and community is different, and each participant is different, thus THWC teams should use incentives and sanctions that are culturally appropriate and tailored to each participant.

The judge leads the team in discussion of appropriate incentives, sanctions, and the need for therapeutic adjustments. It's important to remember that the treatment and mental health providers are the only team members qualified to make therapeutic adjustments, but the judge and the team can request the treatment and mental health providers to assess whether a therapeutic adjustment is needed and support these changes when presented to the participant. As judicial leaders, we must be trained on the best practice standards and work with the teams to use them to assist our participants.

Research on State drug courts has identified several best practice standards with regards to incentives and sanctions, and also therapeutic adjustments. Judges lead the THWC team in determining how these may apply and implement to their THWC. Participants must be given advance notice of incentives, sanctions, and therapeutic adjustments; thus they must be in writing in policies and procedures as well as the participant contract and handbook, and then communicated to participants and team members.¹⁶⁵ Participants and team members must have a clear understanding of behaviors that will result in an incentive, sanction, or therapeutic adjustment, as well as the criteria for advancement, graduation, and termination.¹⁶⁶ Participants must also be given an opportunity by the judge to respond to an incentive, sanction, or therapeutic adjustment.¹⁶⁷ Consequences should be equivalent to those who are in the same phase and engaged in comparable conduct.¹⁶⁸ Judges must deliver sanctions without expressing anger or ridicule.¹⁶⁹ Sanctions are increased progressively over successive infractions for goals that are difficult for participants to accomplish, such as abstaining from substance abuse.¹⁷⁰ For goals that are more easily accomplished, more severe sanctions may be imposed after only a few instances of the undesired behavior.¹⁷¹ Consequences for nonmedical use of

¹⁶³ See note 144, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 50.

¹⁶⁴ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 26.

¹⁶⁵ *Ibid.*

¹⁶⁶ *Ibid.*; see also Family Treatment Court Best Practice Standards, 151.

¹⁶⁷ *Ibid.*

¹⁶⁸ *Ibid.*, 27; see also Family Treatment Court Best Practice Standards, 151.

¹⁶⁹ *Ibid.*

¹⁷⁰ *Ibid.*

¹⁷¹ *Ibid.*

intoxicating or addictive substances, including prescription medications, are imposed regardless of their licit or illicit status.¹⁷² Therapeutic adjustments are adjustments to treatment when participants are not responding to their current treatment program. It is important that judges ensure that participants do not receive punitive sanctions if they are compliant with treatment and supervision but are not responding to their treatment plan.¹⁷³ If that is the case with a particular participant, the participant should be reassessed, and treatment plans should then be adjusted based accordingly, and the adjustments must be based on recommendations of treatment providers.¹⁷⁴ Often judges and teams are quick to use jail as a sanction. However, the research demonstrates that jail should rarely be used as a sanction and only after less severe sanctions have been imposed.¹⁷⁵ If a jail sanction must be used, it should be for no more than three to five days.¹⁷⁶ It is also the judge's responsibility to ensure that participants have access to their counsel and a fair hearing if a jail sanction may be imposed.¹⁷⁷

The use of incentives has a far better impact on behavior and judges need to lead the team in using incentives. Research has demonstrated that drug courts have significantly better outcomes when higher and more consistent levels of praise and positive incentives were offered from the judge.¹⁷⁸ "Punishment is used to reduce undesirable behaviors, such as use and crime, whereas positive reinforcement is used to increase desirable behaviors, such as treatment attendance and employment. Therefore, they are most likely to be effective when administered in."¹⁷⁹ The judge must lead the team in using sustained positive reinforcement to increase participants involvement in productive activities because activities such as employment or recreation can "compete against drug use and crime after graduation."¹⁸⁰ Judges have a great opportunity to impact the participants' success by providing incentives, such as praise and opportunities to engage in prosocial activities. We can then follow up with the participants by asking about these activities, how they felt and praise them for getting involved in sober, prosocial activities in the community. FTCs use similar best practices, but refers to them as therapeutic responses to behavior and they include, child safety interventions, treatment adjustments, complementary service modifications, incentives, and sanctions.¹⁸¹ The goals of a therapeutic adjustment is to "improve parent, child, and family functioning; ensure children's safety, permanency, and well-being; support participant behavior change; and promote participant accountability."¹⁸² Note the therapeutic adjustments do not focus solely on stopping substance use, but have a more expansive vision on behavior change

¹⁷² Ibid.; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 151.

¹⁷³ Ibid.

¹⁷⁴ Ibid.

¹⁷⁵ Ibid., 28.

¹⁷⁶ Ibid.

¹⁷⁷ Ibid.

¹⁷⁸ Ibid., 31.

¹⁷⁹ Ibid., quoting DeFulio et. al., "Criminal justice referral and incentives," 70-75.

¹⁸⁰ Ibid.

¹⁸¹ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 149.

¹⁸² Ibid.

and its impact not just on the individual but also the children and family.¹⁸³ Parenting time is never used as an incentive or sanction.¹⁸⁴ “Decisions about parenting and family time are based on the children’s best interests, including safety, well-being and, permanency.”¹⁸⁵ A wide range of incentives and sanctions should be used with goals focused on “enhancing participant engagement; encouraging behaviors that support sustained recovery, healthy family relations, and long-term reunification; and holding participants accountable for expectations established by the FTC.”¹⁸⁶ Any response to compliant and noncompliant behavior should be timely, meaning as soon as possible after the behavior.¹⁸⁷

Teaching the Importance of Changing Behavior

One of the most difficult decisions faced by teams is the appropriate use of incentives and sanctions. And what works for one participant may not work for another participant. Judges must be trained on the best practices, ensure the team is trained on these best practices, and determine whether and how they apply to their THWC. Judges need to ensure policies and procedures are enacted to ensure that there is consistency and that participants understand the use of sanctions, incentives, and therapeutic adjustments. The underlying issue in sanctions and incentives is changing behavior. Your Nation or Tribe, and its customs and traditions most likely have many stories that teach the importance of changing behavior and how to accomplish this difficult task. In the following story, Corn Comes to the Haudenosaunee, the people had to lose Corn before they understood how to treat her and to be grateful. Judges can use these types of stories to teach participants and team members about why something might be taken from a participant as a sanction, such as their freedom when a curfew is imposed. As a judge we must be proactive and ready to engage in these types of practices. We are proactive as we teach participants ahead of time that their behavior has consequences.

Corn Comes to the Haudenosaunee—As Told by Perry Ground¹⁸⁸

This story happened a long time ago, back when the Great Turtle Island was new.

It was a time of famine, and the people were starving. There was no game in the forest, no fish in the streams, no berries or nuts to gather, and no crops sprang from the soil. It seemed there was nothing left on the Turtle Island to eat. Many people had starved to death so the remaining few gathered together on top of a tall hill. Their only food was boiled bark made into a thin, disgusting

¹⁸³ Ibid., 150.

¹⁸⁴ Ibid.

¹⁸⁵ Ibid.

¹⁸⁶ Ibid., 151.

¹⁸⁷ Ibid.

¹⁸⁸ Ground, Perry (Onondaga), 2020. “Corn Comes to the Haudenosaunee.” Facebook, July 22, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=748140485945617&id=172120836880921.

tasting soup. Although everything looked bleak and the people feared each day, not knowing if it would bring death or only more gut-wrenching hunger, there was a certain young man who all the time said, "It will be better after a while." No one believed him because their stomachs ached more each day. This man had a younger brother who was sick and tired of hearing his older brother saying, "It will be better after a while." The younger brother started to tease and mock the older one; as the days went on the misery increased, the younger brother started to hurl sharp stones and vicious insults and hot ashes from the firepit at his brother to get him to stop saying it would be better. But the young man kept on saying it because he believed it with all his heart.

One day, the young man was foraging for food when he heard the sound of footsteps. It sounded like they were following the path and coming toward the village. But by sundown, no one had arrived in the village. Next day, the young man heard the footsteps again except they were coming closer. Day after day, the young man listened as the step came closer to their miserable village. After the span of a moon, the young man heard a change in the footsteps, now they were running full speed toward the village! He told everyone but no one believed him. The next day, the young man was sitting in front of his lodge, head bent down in hunger and sadness, when he heard the footsteps again, only now they sounded like they were approaching his lodge!!

Suddenly, a dark shadow fell over the young man, and he looked up to see a tall, striking woman standing before him. Her hair was like silk, her skin soft and smooth, long arms and legs, and a face more beautiful than any the young man had ever seen before. When she smiled at him, the young man instantly fell in love with her. He stood up and the woman handed him a basket filled with bread. "My mother sent me to find a young man in this village," she said in a voice that sounded like the swaying of grass in the fields. "My mother wants me to marry him; this is my marriage bread." By now others had come out of the longhouse and from around the village to see the beautiful woman, including the young man's mother. "Where have you come from?" she asked. The beautiful woman answered, "I have come from far south of here; there is plenty of food there." The mother looked at her son and nodded. So, the young man ate some of the marriage bread and was married to the woman from the south.

Later that day, as she settled into her new home, the young wife said, "My mother sent me so that I may bring food to everyone. Uncover your baskets and wooden bowls and place them outside. Then everyone must enter the lodge and cover their faces." Word went around the village, but some did not want to follow the instructions. It was very hot, and they did not want their faces covered in the heat. And they didn't yet trust the new woman from the south. But the young man pleaded with everyone to listen to her and assured them that she promised food for everyone. Eventually, they all agreed and set out

their baskets and bowls. When everyone was in their lodge with their face covered, the young wife went outside. Soon, there was a sound like little pebbles falling into the baskets and bowls. It was a pleasing sound the people were no longer afraid. After a time, the sound diminished and the new wife reentered the lodge, saying "It is finished now." Everyone went outside and was astonished to see the baskets and bowls were now filled with shelled corn!! The people ate their fill of the delicious corn, and all the people were satisfied.

All except the younger brother, the one who teased and tormented his older brother when he said things would be better. He took some of the corn and threw it into the fire!! "Ahgey!! I can't survive on this corn; I want some game and meat!!" he bellowed. The new wife, who had cooked the corn for him, was sad that her new brother-in-law acted this way. But she wanted him to be happy so asked her new husband to go to the nearby river to get fish for all the people. The young man promised to do what his new wife asked but his brother scolded and mocked him again. "Ahgey! You cannot get fish from that river, they have deserted us. You are foolish to even try!!" But the young man went anyway and, buoyed by the smile from his new wife and the power she seemed to have, began to pull fish from the river. Soon, he had enough to feed the entire village!! When he returned to the longhouse with his catch, the people rejoiced...but the younger brother was very angry and skulked away.

The next day, the husband went hunting as instructed by his wife. But while he was away, the younger brother began to torment the new wife. "Your food is disgusting!" he bellowed. "This pitiful corn will not sustain us, and you married the worst hunter in the village; my brother will come back empty-handed." The young wife handed him a fresh bowl of corn mush. "Ahgey, this is no good!" He cried and cast the food into the fire once again.

Toward nightfall, the older brother returned to the village laden with game. Everyone was happy again...everyone except for his young wife. "Why are you so sad?" he asked. "We now have plenty to eat." The young wife sobbed and said, "Your brother has ruined everything. He torments me and rejects my food. Now everyone in this village is against me and casts my corn into the fire. So, I will leave here and return to my own home." The young man was very sad to hear this and begged his wife to stay. "I cannot stay," she replied, "for my mother told me that if I am abused in this place, I am to return home." The young man pleaded for his wife to stay a little longer and she agreed. But that night, as the entire longhouse slept, the young man was awakened by a strange sound coming from outside the lodge. It sounded like someone was scraping something from a wooden bowl. He returned to sleep thinking of ways he could convince his new bride to stay in their village.

In the morning, the young man was startled awake by cry of distress outside the longhouse. He sprang up, grabbed his war club, and dashed outside to see

what trouble there was. He found that it was all the women of the village; when they had gone for their corn, they found the baskets and the bowls empty. The people were going to be hungry once again!! The young man rushed back into the longhouse to alert his wife, but he found that she had vanished also! He was very sad but determined to find her. As he packed up what little food remained and his bow and arrows, the younger brother came and tried to stop him from going. "She has left us and stolen all of our food!" he admonished. "She does not care about you or the people of this village, only about herself!" The older brother became very angry and shouted, "She was the one who brought food to all of us; without her help we would have starved! But you had to be jealous and drove her away!" Then he took up his things and set off to the south.

The young man traveled a great distance and struggled as his hunger grew each day. After weeks of searching, now weak and emaciated, he finally crested a tall hill and looked down upon a region of great corn fields. He knew this was the home of his wife! Hurrying into the fields, he looked everywhere for his young bride. Then, he saw a small rise covered with corn stalks and, sitting at the top of the rise, his wife and her mother. Rushing to her side, he professed his love for her and begged her to return home with him. The wife was surprised to see him and was moved by his devotion to her. The women gave the young man some fresh corn to eat, and his strength returned.

"Husband, I cannot return with you," said the young wife. "Your brother turned your people against me and tormented me. This is what he did to me while you were away." Then she pulled back her skirt and revealed that her body was burned and scarred in several places. "This is what happened to me when your brother threw the corn into the fire," she said. "I am the Spirit of the Corn. If I had stayed among your people, your brother would have killed me." The young man was devastated that his wife had been harmed in such a way. But he begged her to return to the village saying, "Now that you are gone, there is nothing to eat for my people. I love you my wife, but I love my people also." The young wife was unhappy because she could not decide what to do. So, the young couple stayed in the South for many months while the Corn Maiden's body healed. The young man learned the ways of the Corn Spirits and promised that his people would forevermore give thanks for the corn and not waste it. When she was healed, the Corn Maiden agreed to return to the village of her husband.

The two traveled North and, upon entering the village, found all the people starving again. They rushed out of the longhouses and begged the young wife to provide them with food once again. She said that she would bring corn once again but admonished the people, especially the brother, that it could not be wasted or thrown away. The Corn Maiden told the people that the corn, and all food plants, were to be respected; if they were destroyed carelessly, it would

cause the crops to be poor and the corn not to yield. The Brother stepped forward and spoke for everyone, "We have learned this valuable lesson and will always respect our food plants in the future. And Corn will be our most treasured gift." The Corn Maiden was pleased so told the people to open their baskets and bowls then go inside and cover their faces once again. This time, everyone listened and hurried to follow her instructions. Soon, the sound of shells falling into the baskets was heard as the corn fell like rain. When the people came outside again, the baskets were filled to the top and there was plenty for everyone! Da-neh-Ho!

Questions to Think About

1. What are the consequences of the Haudenosaunee mistreating Corn?
2. Why were they eventually rewarded with Corn returning?
3. What wise practices do you use in determining a sanction?
4. Why do you think only the young man heard the footsteps of Corn?
5. What wise practice do you learn from this and how could you use it in your THWC?
6. Why was the younger brother so unhappy with everything that was given to him? What wise practices do you use to deal with participants or team members who are never happy?
7. What wise practices do you learn from your Nation's stories that help you determine when to apply a sanction and help others who are unhappy?

Understanding Consequences and Sanctions

Sanctions are not permanent. They are used to temporarily remind participants of the consequences of their choices. Judges need to remind participants that they have the power and freedom to make choices. But they do not have the ability to choose the consequences of those choices. The "Legend of No Face Doll" reminds us to use graduated sanctions. Fortunately, unlike in this story, our sanctions are not permanent. But some consequences can have permanent effects. As judges, we need to work with our team and participants to help them understand consequences and sanctions and this story is helpful in teaching how continued wrong choices can have lasting consequences.

Legend of the No Face Doll—As Told by Perry Ground¹⁸⁹

This story happened a long time ago, back when the Great Turtle Island was new.

The Haudenosaunee have always respected Jöhéhgöh (literal meaning is Our Life Sustainers) which are usually called the Three Sisters: Corn, Beans and Squash. Those plants were happy to be loved and respected by the Haudenosaunee. Corn Spirit wanted to do even more for the Oñgwe?'oñwe (people) so she asked the Creator if there was anything more she could do; the Creator was pleased and showed Corn how to make a doll from her husks. When Corn Spirit made the doll, she gave it a beautiful face. Because it had a face, the Creator gave the doll instructions as happens with all living things. But the instructions were simple: play with children to make them happy. Corn Spirit sent the doll, and instructions to make more, to the people and they were incredibly happy. Everywhere the Doll went, people told her how beautiful she was. One day, as the Doll was going from one village to the next, she passed a pond that was very still. She looked into the water and saw the reflection of her beautiful face. “Oh, I am very beautiful,” she thought. “I think I will sit here awhile and admire myself.” The next day, the doll returned to the pond and again spent the day looking at her own beautiful face. And then again, the next day. And the following day. And the day after that...and on and on.

The doll now refused to play with any of the children, even though those were her instructions from the Creator. This made the Haudenosaunee children very sad, and they begged and pleaded with the Doll to come and play. The Creator heard the cries of the Haudenosaunee children so gave the Doll a warning. “Do not think you are too beautiful to follow instructions. Do not think that you are better than everyone else,” the Creator told her. He also told her that if she continued to disobey, she would receive a punishment. The Doll listened to the Creator and went back to playing with the children. Everyone was happy once again. But after a short time, everyone returned to telling the Doll how beautiful she was. The people argued and fought about who would get to play with her. While they argued, the Doll became very vain; she went back to the pond so she could look at her beautiful face. She again refused to play with any of the children, wanting only to sit by the pond and gaze at her own reflection. All the children were sad once again. The Creator learned what the Doll was doing and became angry. He decided the Doll needed a punishment. The next day, the Creator sent a Screech Owl to the pond where the Doll would gaze at her reflection. Soon, the Doll arrived and took her usual spot along the edge of the pond. Suddenly, the Owl unfurled its wings and darted forward.

¹⁸⁹ Ground, Perry (Onondaga), 2020. “Legend of the No Face Doll.” Facebook, April 28, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=690150668411266&id=172120836880921.

Swooping down toward the water, Owl skimmed along the surface of the water until he reached the ponds edge. Then, right where the Doll's reflection was, Owl dove down and plunged his talons into the water! The Doll was startled and fell back against the shore as Owl hurriedly flew away.

In the pond, the water had become filled with ripples. The Doll waited for it to lie still again. Then, she leaned forward and looked into the pond to again see her beautiful face. But this time when she looked, she saw...Nothing! When the Owl had grabbed her reflection, he had taken away her beautiful face! The Doll was very sad, so she went to the Creator and asked for her face to be returned. She journeyed very far and went through many trials and completed many tasks to prove she was worthy of having her face restored. But in the end, the Creator decided that the Doll could not have her face. The Creator told the Corn Spirit to continue to make dolls from her husks but that they should no longer have faces. This would remind the Haudenosaunee that no one should be vain or conceited, that no person should think they are better than others, and that we should always follow instructions from the Creator. To this day, the Haudenosaunee refer to corn husk dolls as No Face Dolls so we can remember these important lessons. Da-neh-Ho!

Questions to Think About

1. Why did Doll continue to disobey?
2. Why do your participants sometimes continue to not follow instructions?
3. How do you intervene?
4. What wise practices do you use to teach the differences between choices and consequences and the power participants possess to make choices?
5. What wise practices do you learn from this story?
6. What do you learn about pride and/or vanity and how might this help you in your THWC?
7. What wise practices do you learn from your Nation's stories to help participants make better choices and deal with pride?

Helping Participants and Team Members Understand Therapeutic Adjustments

When participants are not progressing in THWC or continually failing to meet requirements, therapeutic changes need to be made. Sometimes it can be tempting to use sanctions because we want to stop certain types of behavior or try to get participants' attention. But this will do little to change behavior. Also, participants may perceive a therapeutic adjustment as a sanction. It is important that judges do not convey the adjustment to treatment, such as going to an inpatient treatment program, as a sanction. We need to engage participants in a discussion about the adjustment to ensure it is not being perceived in that manner. In the following story, "The Gift of Maple," a gift has to be adjusted so it is not abused.

The Gift of the Maple—As Told by Perry Ground¹⁹⁰

This story happened a long time ago, back in the age when dogs could speak.

Long ago, winter was a very hard time for the O:gwe ho:gweh (human beings) because there was little to eat, and their spirits were saddened by the cold and dark. Glooskap learned of this sadness and wanted to do something to make the people happy again. He asked the Trees if there was anything they could do for the People. The leader of the trees, the Maple, offered his sap knowing that it flowed rich and dark. He knew it would be a special treat for them and would restore them to good health after the hard winter months.

Then Glooskap showed the People how to tap the trees with basswood spouts and how to collect the sap in bark trays. The sap was thick, dark and sweet, like syrup, and was very easy for the people to collect. Once the people were happy again, Glooskap left them. The next year, Glooskap came back to check on the people. But when he arrived, he found their village empty and in disrepair. There was hardly any corn stored and the hunting tools had not been touched in weeks. Glooskap looked around but could find no one. Then, he heard a strange noise coming from the forest.

Glooskap walked into the forest to find the source of this strange noise. There, among a stand of Maple trees, Glooskap found the People. They were all laying on the ground, each with a basswood spout tapped into a tree letting the sweet sap run into their mouths. And they were all moaning, “gla-wah-la-wah-glaw-wah,” in total contentment. Even the dogs from the village were lying on the ground, paws in the air, drinking the sweet sap!! Glooskap yelled at them to not be fat and lazy, but no one would listen; they just wanted to eat the sweet Maple sap.

Glooskap knew this was no good. Soon it would be time for planting and hunting and the People might ignore their duties if they could simply lie under the Maple tree and drink sap. So Glooskap went to the Creator and told him what the People were doing. It was decided that the O:gwe ho:gweh needed a lesson. The Creator told Glooskap to fill his bucket with water and to pour it into the Maple trees. Glooskap did as he was instructed. But he was upset with the People, so instead of one bucket of water, he poured bucket after bucket after bucket...until the sap was watery and hardly sweet at all.

The People were upset that the sweet treat had gone away. Glooskap told them that from then on, they would need to work hard to get the sweet syrup.

¹⁹⁰ Ground, Perry (Onondaga), 2018. “The Gift of the Maple.” Facebook, March 12, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10208680088518773>.

He reminded them how to collect the sap in bark trays; then, he showed them how to boil away the water with hot rocks. He told them the sap would flow for only a short time each Spring and that they should appreciate this great gift. To this day, many Native Peoples honor the Maple with ceremonies of Thanksgiving and always remember the lesson to honor the gifts from the world around us. Da-neh-Ho!

Questions to Think About

1. How does the adjustment help the people?
2. How might they perceive this adjustment?
3. How was the adjustment conveyed?
4. How would you have handled this situation different from Glooskap?
5. What wise practices do you learn from this story and how might you use them to help team members and participants to understand therapeutic adjustments?
6. Is there a story from your Nation that teaches this idea?
7. Have you ever given an incentive, or gift, which the participant somehow abused or used inappropriately? What did you learn from that experience?

Tailoring Incentives to Each Individual

Incentives are rewards for good behavior. But they must be tailored to individuals and incentivize behavior. They can also help participants arm themselves with tools that assist with living in recovery. In the story “The Witch Water Gull,” what are the items that help arm the young girl to battle the witch water gull? Addiction may feel like the witch water gull.

The Witch Water Gull—As Told by Perry Ground¹⁹¹

Ji-Jo-Gweh: This story happened a long time ago, back when the Great Turtle Island was new.

The people lived in fear. Everyone knew of the bird that terrorized the night sky and dreaded to hear the hateful beating of its wings. In the darkest, blackest part of the night, the Witch Gull roamed through the air; it was a hideous, straggling, blood-thirsty thing of evil. And it preyed on anything—bird, animal, human—sucking out the blood of its unfortunate victims to satisfy its dark cravings. The Gull's vampire wings shimmered the air in its noiseless flight, until the Witch cawed a screech that could drive a man mad with fear. Those same wings were like fire; when they touched the waves, the water would hiss, and dark vapor would rise to disguise its flight. If a feather fell from those wings, blood followed in dark, noxious droplets that turned as hard as flint; the unlucky

¹⁹¹Ground, Perry (Onondaga), 2020. “The Witch Water Gull.” Facebook, February 28, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=649540965805570&id=172120836880921.

struck by this terrible rain were bruised to an agonizing death. And when the Witch exhaled, quiet as a baby's breath, that poison would float over the unsuspecting and kill them in a struggling, choking fury. No one knew where the monstrous Water Gull came from but suspected it was a Witch with terrible power, a sorceress able to change shape to carry out her evil designs. When a few brave men ventured out to slay the beast, their arrows fell, blunted from the sky and a hideous, painful calamity befell each hunter. The people lived in constant fear.

One night, after the flying demon had brought death and destruction to her village, a young girl laid down to sleep. That night, she received a vision in a dream—a vision on how to defeat Ji-Jo-Gweh! The vision showed her how to hew a strong bow from the ash tree. Then, she would string the powerful weapon with her own long black hair, giving it a special magic. For her arrows, she was to feather them with the down from a young eagle's breast. Only then would she be able to destroy the venomous Water Gull.

The next day, the young girl set to her new task, sure that her dream had power and that she could protect her village. She spent all day climbing a high cliff to reach an eagle's nest set high on its sheer face. When she reached the nest, the eaglets opened their mouths and greedily consumed the food the young girl had brought. As they busily consumed all this food, the girl reached out and plucked some feathers from the breast of one of the birds. She hurried home, eager to make her bow but was too tired. As she laid down to rest, a terrible shriek echoed through the village...the monster had returned. The people cowered in fear through the night.

The next day, the girl went out and collected a piece of ash to fashion her bow. But this was work normally done by men; women didn't even touch some of the tools used by men. The girl watched as her father and uncles set to work on their own bows and arrows. Then, she secreted away and carved the wood into a formidable weapon. Plucking the longest hair from her own head, she formed the bow string, and its strength was unmatched. The girl made arrows as instructed in her dream, including using the eagle down to feather each one. Ready and eager to slay the Witch Gull, the girl still went to a medicine woman and asked for a charm that might protect her while on the hunt. The woman gave her sacred tobacco which the girl wore in a pouch around her neck. Armed now with a powerful bow and guarded by more powerful medicine, the girl went to a lake where the demon bird was known to drink. She waited through much of the night, but her hunt was in vain. However, as she stood to return home, a shriek rent the air that nearly stopped her heart.

The girl stood frozen with fear as the monstrous bird circled directly overhead. Again, the Witch Gull rent the air with its deathly cry. But the horrid

noise broke the girl's terror, and she grabbed up her bow. To her horror, the bow was wet with dew and limp as a blade of sweet grass! The Gull shrieked again, tucked its wings and plunged down through the air intent on wreaking destruction on the girl. Just as the bird was about to sink its talons into her flesh, the girl waved her bow wildly through the air in an attempt to fend off the attack. Luckily, she managed to knock the bird away, but it turned and flew toward her again. Continuing to wave the bow in front of her, the girl thwarted each attack...until her arm began to tire, and the bow faltered in its defense. The demon Witch knew her chance had come so flew high into the night air and prepared for one final, diving assault. The girl despaired, feeling that she was doomed to die a horrible death. She reached up to grasp the sacred tobacco charm the medicine woman had given her, but the hard shaft of the bow knocked against a tree, preventing her from reaching this medicine. Overhead, the Witch Water Gull let out another blood-curdling screech and tucked its wings for the final plunge of death. The girl looked up and all she could see was the Witch's red glowing eyes, filled with hatred and an appetite for human flesh, as it began to plummet toward her.

She held the bow in front of her, a weak defense at best, when she realized that the weapon had hardened again. Waving it through the air had dried it and its strength had returned!! Quickly, she tightened the strands of her own hair that made up the bow string and notched an arrow. Now grasping the sacred bundle, the girl whispered to the good spirits a request for guidance for the arrow. Another horrid shriek rained down from the Witch Gull as it began its murderous dive. The girl steadied herself and let the arrow fly. Whether guided by the spirits of the forest or the girl's skill with the bow, the arrow flew true to its aim!! It pierced the heart of the terrible creature and sent it fluttering and thrashing and reeling through the air. The cries of agony from the Gull were the sounds of nightmares. The bird bounced off a mighty tree and careened into the lake. Ji-Jo-Gweh lashed at the water, whipping it into a wild foam, until finally the Witch Water Gull sank into the depths. The girl raced into the water, intent on capturing evidence of her brave deed, but the monster was gone before she arrived. But as she stood near the foaming water, white shapes began to take form around her. A flock of wild birds, having been devoured by Ji-Jo-Gweh but now set free, rose out of the water. They hovered over the girl and then took wing away to the south. These birds were the white sea crow, and the Haudenosaunee know that when they are seen hurrying ahead of a storm that the spirit of Ji-Jo-Gweh is driving them, that evil spirit still haunting the clouds. The girl returned to her village, a hero, having delivered her people from this venomous bird. The people lived in fear no more. Da-neh-Ho!

Questions to Think About

1. Why did the girl have to go through so many steps to battle the Witch Water Gull? What do we learn from these steps?
2. How did the girl deal with the obstacles, such as her bow not working, when she was being attacked?
3. How do you encourage your participants to keep trying? Is it different for different participants?
4. What are some incentives that you can use that will help participants learn behaviors that will help them live in recovery? How do you tailor the incentives?
5. What wise practices do you learn from this story and how can you use them?
6. What wise practices do you learn from your Nation's stories that help you tailor your incentives?

How to Use Incentives to Encourage Participants and Help Them Learn

As judges, one of our roles is to use incentives as rewards to encourage our participants to move forward with learning to live in recovery. We reward them for behaviors that move them forward on this difficult journey, to encourage them to take the next step in their journey. In the following story, the Boy must undertake many challenges. Think about the steps and encouragement he received along the way and how he was rewarded.

The Boy Aided by a Skull—As Told by Perry Ground¹⁹²

This story happened a long time ago, back when the Great Turtle Island was new.

Two Feathers lived with his grandparents deep in the forest. His family had disappeared long ago, but Two Feathers could never find out what happened to them; if he asked, his grandparents only reply would be "Never go west!" Two Feathers obeyed his grandparents for a long time but after a while, as often happens with young boys who are told not to do something, he wanted to see what was in the west more than anything else.

One day, he set off in that forbidden direction. After traveling awhile, Two Feathers came to a beautiful, wide lake and he marveled at this sight. As he was looking (and thinking his grandparents cruel for keeping him away from such a wonderful spot), he heard a voice behind him saying "Hai`! Hai`! Isn't this beautiful? Have you ever seen it before? Come in my canoe and we will visit the islands and inlets of this gorgeous lake. You will have a great story to tell when we return." Two Feathers was charmed by these words and followed this stranger to his canoe. They climbed in and pushed off; the stranger gave a couple swift strokes with his paddle and the canoe shot far away from land.

¹⁹² Ground, Perry (Onondaga), 2019. "The Boy Aided by a Skull." Facebook, April 2, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10210644087577522>.

Soon, Two Feathers could see a beautiful island with many tall trees. The canoe landed on a sandy beach and the stranger said, "Look around and see what a fine place this is. You will see many new things and like it very much!" Two Feathers walked up the shore then turned to ask his guide a question. But, when he turned around, the strange man was gone.

Two Feathers rushed back down to the shore but, as he feared, the canoe was gone also. He looked across the lake and could see the canoe already far away. He knew he was trapped on the island!! Two Feathers wandered about, looking for some way to escape, until finally he sat down on a fallen tree and began to cry. "Why did I not listen to my grandparents?!?" he wailed.

After a while, his cries faded, and Two Feathers heard a loud whisper, "ashógwahda'," said the voice. Two Feathers jumped up and looked around to see who else was stranded on this island. But when he couldn't find who had whispered, he sat back down. Then the voice said again, "ashógwahda'," and Two Feathers searched for the speaker. Finding no one, he sat down and began to cry again, thinking he was already going crazy with fright. More loudly he heard yet again, "ashógwahda'!" The voice sounded like it was coming from under his feet!! Two Feathers looked down and saw something white poking out of the ground at the end of the log. He brushed away the dirt and found a gleaming, white skull with hollow eyes and jaws full of teeth. Two Feathers was even more surprised when the skull spoke again, "ashógwahda'. Dig in the dirt by the log and you will find a bag with my pipe and tobacco." Two Feathers realized the skull wished to smoke, saying pipe over and over (ashógwahda' is pipe in Seneca). He dug in the dirt and found the bag. He packed the pipe with the tobacco and lit a small fire. Once the pipe was ready, Two Feathers said "Jisgë:h, here is your pipe. Tell me, how did you come to this island and lay buried in the dirt?" The skull replied, "fill my pipe again and I will tell you."

So, Two Feathers filled the pipe again and said, "Jisgë:h, tell me how to get away from here." The skull smoked some more, then he said "This is an enchanted island, cursed by an evil sorcerer. You are trapped, just as I was, and just as many more before us. The evil one lives on the island, there is a terrible ogre who visits, and there is an enchanter that brings men here." Two Feathers was very sad but said, "Yes, I was enchanted and brought here in a canoe!" The skull continued, "That is how I was brought here also. S'agowenot" a, the great but evil sorcerer, and Ohgwe las, the terrible ogre, both like to devour human flesh! They ate my flesh and cast aside my bones. They have eaten many others and will devour you as well. Unless you listen closely and follow my instructions." Two Feathers was terrified but promised to obey. "Before sunrise," instructed the skull, "go to the beach where you landed; bury yourself leaving only one eye and one ear exposed. Watch and listen, then come back to me and we will plan an escape!" As morning approached, Two Feathers went to

the beach as instructed. As he was burying himself, he heard a great and terrible sound...it was the ogre singing but it was the most awful noise Two Feathers had ever heard. Quickly, he finished burying himself and just then heard a canoe shoot up on the sand of the beach. The singing was even louder now and so terrible that Two Feathers thought he would cry out in agony it hurt his ears so much. Suddenly, footsteps shook the ground where Two Feathers lay, and the ogre was almost on top of him. As best he could, Two Feathers looked out of his place of hiding...but what he saw nearly stopped his heart!! It was a giant whose face was so ugly, his teeth so ragged, his eyes so wild, his weapons so fearsome that Two Feathers thought surely, he would die. And right behind the ogre were ferocious, snarling dogs who looked like they could tear apart any creature in seconds.

Ohgwe las, the giant, went to the top of a small hill and sang his terrible song again. S'agowenot"a, the evil sorcerer, sang a song in return and it was even more terrible than the ogre's! When the singing finished, Ohgwe las called out, "Where is my meal?" S'agowenot"a replied, "He cannot be found. Send your dogs after him!" Two Feathers was terrified, sure the dogs would be able to sniff him out. But they went inland and could find no one. The giant flew into a rage and stormed back to the beach. The dogs followed and one began to sniff the ground...right above Two Feathers!

Ohgwe las came back to where the dog was sniffing and growling; in his rage he grabbed the dog and threw him into the canoe. Then the giant jumped in also, swept his paddle and was gone. Two Feathers unburied himself, ran back to Jisgë:h (Seneca word for skeleton), and told him what happened. He was thankful to be alive and when Jisgë:h asked for ashógwahda', he happily prepared the tobacco. "This is a good sign that we may succeed in escaping," said Jisgë:h. "Now what you must do is make seven dolls. Give each a spear or a bow with arrows. Then bring them to me." Two Feathers did as instructed. When he showed each doll to Jisgë:h, the skull breathed smoke onto each one, giving it a magical quality. "Now, take the dolls and place them in trees around the island. In the morning, hide yourself again and we will see what happens." Two Feathers positioned the dolls and then went back to the beach.

In the morning, he covered himself again when he heard Ohgwe las sing his terrible song. "Where is my meal?!? I am VERY hungry!!" he bellowed. S'agowenot"a answered that he still could not be found so Ohgwe las sent the dogs to search again. They were sniffing everywhere and soon picked up the scent of Two Feathers. They were approaching the beach, snapping and growling, close to where Two Feathers lay hidden.

In fright, Two Feathers twitched just a little and one of the dogs saw this movement. With a ferocious bark, the dog sprang forward knowing that its' meal was close at hand, teeth barred and saliva dripping from its' maw!! Two

Feathers closed his eyes and prepared to feel the bite of those terrible jaws. Suddenly, a terrible yelp of pain pierced the air as one of the dogs was pierced by an arrow. Then, another cry of pain as another dog was stabbed by a spear. "Who is hurting my dogs?!?" bellowed Ohgwe las. More arrows rained down, so the giant grabbed the dogs and tossed them into his canoe. Without a look back, he paddled away.

Two Feathers leapt from the sand and ran back to Jisgë:h; after preparing the pipe, he told him what had happened to the ogre. "Now I have a plan," said Jisgë:h. "Ohgwe las fears death more than all else so when he travels, he leaves his heart in his lodge. It hangs near his fire, and the same for his dogs. When he returns there now, he will place the hearts back into the dogs and they will be revived. They will return tomorrow to continue their hunt for you and now they have your scent. The dogs will want to devour you for sure!" Two Feathers was terrified as he listened for he had seen the terrible fangs of those dogs. Jisgë:h continued, "Bury yourself once more. When you hear Ohgwe las sing his song, lift up your voice and reply with the S'agowenot" a song. When Ohgwe las comes ashore, the dolls will fire their arrows; in the confusion of the battle, you must jump into the canoe and make your escape." Two Feathers thought this was a good plan but worried that the ogre would come after him. Jisgë:h told him the rest of his plan and Two Feathers knew it would be filled with danger. But he promised to obey and, in the morning, went back to the beach.

Soon enough, he heard the terrible singing of Ohgwe las. Two Feathers steeled himself and replied in S'agowenot" a's voice, "I have caught the rabbit, rabbit, rabbit; now I will skin him, skin him, skin him." Ohgwe las called out, "Wait for me, I want my share of this meal!" But then the real S'agowenot" a replied, "No, do not come, it is a trick!" But Ohgwe las was HUNGRY and bellowed, "You cannot cheat me sorcerer! You have the boy and wish to devour him alone!" Just then the canoe hit the beach and the giant jumped out onto the sand. The dogs jumped out also and started to make their way to the center of the island. But they stopped and began to sniff and paw at the sand right where Two Feathers was hidden! They had picked up his scent and were trying to uncover him!! Ohgwe las came upon them and struck the dogs with his club; "Get up the hill so we can eat!" He hollered and the dogs obeyed. Now, Two Feathers jumped up and sprinted toward the canoe. One of the dogs saw him and let out a terrible yowl. Ohgwe las turned and saw his meal escaping. "You will not get away from me!!" He roared and the blood in Two Feather's veins ran cold. Without looking back, he sprang into the canoe, pushed off, and, with swift, strong strokes of the paddle, shot across the lake. He spied a small camp on the far shore and angled toward it. As he landed, he saw a girl boiling bear fat in a kettle over a fire. Two Feathers called out, "Give me his heart! I must destroy him!!" But the girl replied, "No, no, it is his!" pointing behind Two

Feathers. A tremendous thud shook the ground and Two Feathers spun around. There was Ohgwe las charging up the shore, snarling in a terrible rage!! He had magically followed Two Feathers and now was closing in on his meal!!

Two Feathers looked around and saw the beating heart of the giant, hanging near the fire. Then he remembered the remainder of the plan that Jisgë:h had told him, how to kill the ogre by destroying his heart! So he dashed to it and grabbed it off its hook. The young girl rushed forward and tried to snatch back the bloody monstrosity. As they struggled, Ohgwe las continued to charge up the shore, his horrific dogs right behind. With all his strength, Two Feathers wrested the heart away from the girl and held it up high. Ohgwe las gave another bellow of rage and reached for Two Feathers, but the hero was able to dodge away and cast the heart into the pot of boiling bear fat!! Ohgwe las cried out in agony and began to totter around the camp. His terrible dogs—eyes burning, mouths frothing, throats grumbling—rushed forward to save their master but Two Feathers spied their hearts hanging nearby; quickly, he thrust those into the kettle as well and his ears were filled with agonizing yelps and howls of pain and surprise. Ohgwe las made one last lunge at Two Feathers but instead fell into the fire. His body crushed the kettle and the burned hearts poured out onto the ground. Ohgwe las and his seven terrible dogs lay dead next to the fire. As Two Feathers tried to catch his breath, the young girl, who had taken shelter in the longhouse, came out of the lodge.

She crept up behind Two Feathers and, before he could react, threw her arms around him! "Oh, My Brother, you have saved me from the ogre!!" she cried. "Ohgwe las enchanted me and forced me to be his slave after I was taken from our home. Now that he is dead, the spell is broken!!" Two Feathers looked upon the girl and saw that it really was his sister, and he threw his arms around her! They were very happy to be reunited but Two Feathers knew he had to finish the plan that Jisgë:h had laid out. "I must return to the island and break the spell of the sorcerer," he said. He instructed his sister to wait at this lodge and that he would return very soon.

Then, Two Feathers launched the canoe and paddled back across the water to the evil island. He went to the log where Jisgë:h lay and, after lighting his pipe, told him what had happened with the ogre. "Ah, very good that he is gone," said Jisgë:h. "Now, if you will follow a few more instructions, we might break the curse of this island. First, shoot that bear that is lurking behind you. Then, skin the bear and lay it over me. Build a fire and throw in some of my tobacco so the hide is smoked. And tell that stump by my feet to move so you can cover me completely."

Two Feathers was startled as he turned and saw a massive bear standing only a few steps behind him. The Bear let out a growl, dropped down on all four paws, and started to charge right at him! Two Feathers quickly fixed an arrow to

his bow and shot the charging Bear. Then, he removed the hide and placed it over the mound where Jisgë:h lay. But the stump was in the way so Two Feathers shouted "Ahgey, move out of the way or I will give you a kick!" The stump jumped back into some bushes.

Two Feathers started a fire near the bear skin and Jisgë:h said, "Throw on the tobacco and I may be restored to my former self." Two Feathers did as instructed, and waited...and waited...and waited. After a while, he began to get impatient, wanting to hurry back to his sister, so he scolded, "Hurry up, Jisgë:h! What are you waiting for? I cannot wait all day. Hurry...or I will kick the stump back onto you!" Two Feathers kicked the stump and it fell on the bear skin. Then, there was some movement under the skin. "Ahgey, you are taking too long. I see you moving; I am going to pull off the bear robe!" said Two Feathers, reaching down to grab the skin. He flung the bear skin away and, from the mound arose a very strange company of men. They were all misshapen—legs too long or too short, head on backwards, one long arm with one short arm, humpbacks, no necks, squished bodies, etc.—and they were all arguing and fighting! "Hey, that's my arm—you have my hand—my feet are missing—give me my fingers—who took my ribs—who made us hurry—too quick!!" Two Feathers was stunned to see such deformed men and watched as they all shuffled off into the forest trying to put themselves back together properly.

Then he turned back to the mound and found one man still there, looking at him. It was Jisgë:h!! Two Feathers tensed as Jisgë:h stepped forward and reached out to grab him. In a loud voice, Jisgë:h said, "Do not be afraid Brother, you have rescued me!" Two Feathers looked closely at the man in front of him and recognized his brother who had been lost many years before. "I came looking for our sister many years ago but was enchanted and brought to this island," said Big Turtle, the actual name of the brother now that he was no longer a jisgë:h. Two Feathers was overjoyed that he had found his family and told how their sister waited for him in the camp of the dead ogre. But as the two brothers celebrated their reunion, a terrible cry washed over the island. "Who has dared to break my spell?!?!!" bellowed S'agowenot" and the brothers heard him crashing through the bushes coming to capture and devour them! Without a word, they dashed to the canoe waiting on the shore and swiftly paddled across the lake.

The sister cried with joy when she saw her older brother, Big Turtle. The Brothers set fire to the camp of Ohgwe las and the three of them returned home. Their Grandparents rejoiced when Two Feathers came into the village but were exuberant when they saw ALL their grandchildren were alive and well. Big Turtle told everyone in the village what had happened and how Two Feathers had saved them, but he also warned that S'agowenot" was still practicing his evil. The Grandparents said, "It is good for all to know why we

should not go to the west; we were wrong to forbid you to do something or go that way without a reason." The Brothers built a large lodge and the family lived together happily for the remainder of their days. Da-neh-Ho!

Questions to Think About

1. What difficult choices and actions does the boy undertake?
2. How is he rewarded as he moves forward in his journey and how does each reward assist him?
3. What wise practices do you learn about rewarding people for undertaking hard actions?
4. What rewards or incentives do you use that might seem scary, like the skull, but are helpful?
5. How do you help your participants overcome fear?
6. What wise practices do stories from your Nation teach about encouragement?

The best incentives and sanctions help participants learn something about themselves, their choices, or a new skill. In the following story, Rabbit is searching for a skill. But the Master of Life sees something in Rabbit that Rabbit does not see. As you read this story, consider some of your participants who need encouragement and need to learn things about themselves or new skills. Is there something in this story that will help you help them?

How the Rabbit Got Wisdom (Creek)¹⁹³

Long ago, Rabbit was one of the smallest and weakest of the animals. He and the other rabbits were always being hunted for food. So, Rabbit went to the Master of Life and asked for help. "I need more wisdom so that my people and I can survive," he said. "First you must do something," the Master of Life said. "Fill this bag with red ants and bring it back to me. Then I will think about giving you wisdom."

Rabbit took the bag and went to the anthill. "You ants," Rabbit said, "the Master of Life said that he did not think you could fill this bag. I said that I was sure you could. What do you think about that?" "We will fill it, we will fill it," said the ants. Eager to show that they could do so, they all went into Rabbit's bag. Rabbit tied up the bag and went back to the Master of Life. "Here it is," he said, handing the bag to the Master of Life. "Now will you give me wisdom?" "You must do something else," the Master of Life said. "Big Rattlesnake lives over among the rocks. Bring him to me and I will consider giving you wisdom."

Rabbit cut a long stick and gathered some strong vines. Then he went to the place where Big Rattlesnake was sunning himself. "Big Rattlesnake," Rabbit said, holding up the stick, "the Master of Life says that you are not as long as this stick, but I say you are longer. What do you think?" "Ahhhh," Big

¹⁹³ Bruchac and Bruchac, *The Girl Who Helped Thunder and Other Native American Folktales*, 25–28.

Rattlesnake hissed, "I am *ssure* that I am longer." Big Rattlesnake stretched out as straight as he could, and Rabbit put the stick down next to him. "I cannot measure you because you keep moving," Rabbit said. "Let me tie your head to one end of the stick and your tail to the other so that you will keep still." "Yessss," Big Rattlesnake said, "tie me *ssso* you can measure me." Rabbit took the vines and tied Big Rattlesnake to the stick so tightly that he could not move. Then he carried the stick with Big Rattlesnake tied to it back to the Master of Life. "Here is Big Rattlesnake," Rabbit said. "Now will you give me wisdom?" "You must do one more thing," said the Master of Life. "Great Alligator lives in the swamp over there. Bring him here to me. Then I will decide."

Rabbit went to the swamp. He could see Great Alligator's head far out in the deep water. Rabbit rolled in the mud and stuck twigs all over himself. He found a heavy stick and hid it behind a tree next to the path that Great Alligator used. Then he went down to the edge of the water. "Great Alligator," Rabbit called. "I am Covered-with-Mud-and-Sticks. I am a messenger from the Master of Life. A fat deer has died in the woods near your pond. Come and get it now or the other creatures will eat it." "Oho!" Alligator said. "Thank you, Covered-with-Mud-and-Sticks. That is good. Show me the way." "Follow me," Rabbit said. He led Great Alligator along the path. But as soon as he reached the tree where he had hidden his club, he pulled it out and he began to hit Great Alligator with it. Great Alligator was not hurt, but he was so surprised that he turned and ran back to the water. Rabbit cleaned himself off in a stream and then sat in the sunshine until his fur was dry. Then he went back to Great Alligator's pond in the swamp. "Great Alligator," he shouted. "Who is calling my name?" Great Alligator asked. "It is me," Rabbit said. "The Master of Life wonders why you did not come to get that fat deer. He sent Covered-with-Mud-and-Sticks as a messenger. Did he not find you?" "Oho!" Great Alligator said, swimming closer. "He found me, but when I came out of the water he beat me with a big club." Rabbit shook his head. "That is too bad. Covered-with-Mud-and-Sticks is a bad one. Did he hurt you?" "No," Great Alligator said. "My skin was too thick." "Is there any place where you could be hurt?" Rabbit asked. "Yes," Great Alligator replied. "There is one weak place behind my head." "That is very good," Rabbit said. "Now follow me and I will take you where you need to go."

Once again, Great Alligator came out of the water and began to follow Rabbit. As soon as Great Alligator passed the tree where Rabbit had hidden his club, Rabbit grabbed it and hit Great Alligator behind his head, knocking him unconscious. Then Rabbit dragged Great Alligator back to the Master of Life. "Here is Great Alligator," Rabbit said. "Now will you give me wisdom?" The Master of Life smiled. "Rabbit," he said, "you have shown me that you already have wisdom enough. If you had more, it would be too dangerous for all the other creatures. You will always be small and weak, but you and your people will use your wits to survive." And so it is to this day.

Questions to Think About

1. How does the Master of Life view the Rabbit?
2. What does the Master of Life want the Rabbit to learn?
3. What wise practices do you learn from this story and how can you use them with your team and participants?
4. What do stories from your Nation teach you about encouragement and helping others to learn things about themselves?

Concluding Questions

1. What wise practices about sanctions, incentives, and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about sanctions and incentives? How can you share them with your team and participants?

Chapter 10: Key Component #7 - Judicial Interaction

Ongoing involvement of a THWC judge with the Tribal Wellness Court team and staffing, and ongoing Tribal Wellness Court judge interaction with each participant are essential.

This Key Component “emphasizes the importance of interactions between the participant and the judge and stresses the frequency and continuity of interaction.”¹⁹⁴ The prior key components address gathering the team, evaluating the team’s performance, and assessing various policies, procedures, and practices. But how does the judge interact with the team in staffings and with the participants in the courtroom? We know that interactions are important and that they should be frequent and have continuity. But what does this mean?

First, judges need to continually remember that the context of THWC is not adversarial but restorative and therapeutic. There are no winners and losers in THWC. The focus is working as a team to help participants learn to live in recovery. “Always be mindful that you are not presiding over an adversarial arena in Wellness Court. Notions of punishment, retribution, and detention are not entirely replaced, but are supplemented with aspirations for peacemaking, restoration, healing, and peace. Similar to how you apply a law to a set of facts, endeavor to acknowledge and appreciate when these aspirations, attitudes, and cultural differences manifest in Wellness Court.”¹⁹⁵ When working with the team and participants, keep this as your focus. There is not a right or wrong, but what is best for each participant and how do we get there, together?

An important aspect of using restorative justice is teamwork, and the judge must foster and support this. “[T]eamwork and collaboration, as well as restoration and healing, are common tenets of indigenous custom and tradition. Recognition of the special connection between dispute resolution and peace, restoration, and healing encourages Tribal courts to apply ancient practices to modern legal institutions like Wellness Court.”¹⁹⁶ As the judge, your leadership is needed to help team members work together. To be a successful THWC judge, you need their assistance in helping participants. You cannot do it alone. “In Wellness Court, your sole-source orders are replaced by your ability to gain consensus among team members regarding a participant’s healing journey. You are put in the position to inspire team members to fulfill their roles in relation to the Wellness Court process; make them truly see that what they do is productive so that they continue to fulfill the purpose of helping participants move through their healing journey. You need their help, their insight, and their recommendations to monitor participant success and impose your judicial authority carefully either for bad or good behavior.”¹⁹⁷ Success for your participants will come, as you inspire your team members to fulfill their roles.

¹⁹⁴ See note 144, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 58.

¹⁹⁵ Flies-Away, *Tribal Health to Wellness Courts: The Judicial Bench Book*, 10.

¹⁹⁶ *Ibid.*

¹⁹⁷ *Ibid.*

Conveying respect to your team members and participants is also a critical part of judicial leadership. We all know what it feels like to be respected, by being seen and heard, and what it feels like when no one is willing to listen. Even if you do not always agree, team members will participate more if they know they will be listened to and respected by the judge. Respectful communication with participants impacts their success. Drug court research has demonstrated that participants have better outcomes when judges were perceived as respectful, fair, and caring in their interactions with participants.¹⁹⁸ Moreover, as the judge, you must insist on respectful communication from everyone. “Whether you are more the captain, a key member of the team, or the team’s coach, you are exercising judicial leadership and must demand proper decorum where respectful communication is expected of everyone.”¹⁹⁹ Sometimes I have had to remind participants to be respectful to other team members. I have also had to remind myself to be respectful to participants when they are being loud and argumentative in the courtroom.

We engage in respectful communication with participants by spending time listening to them. Participants’ outcomes are significantly better when judges spend an average of at least three minutes, and as much as seven minutes, interacting with participants.²⁰⁰ This allows judges to gauge the participants’ performance, encourage and impress upon the participants the importance of compliance with treatment, and ensure that the participants’ efforts are recognized and valued.²⁰¹ It is important that this time be interactive and not one sided. As judges, we must work to elicit answers using motivational interviewing techniques and listening. If we spend this time talking, we are not conveying respect to the participants and have not afforded them the opportunity to be seen and heard. Judge Joseph Flies-Away taught,

The Wellness Court judge is critically important to motivating participants to find a better path and to change their behavior and their lives. Wellness Court participants are generally in a debilitating situation due to alcohol and drug abuse. They have no power to take forward steps for themselves, their families, and their people. The range and depth of disempowerment is different for each participant. One participant might only “need a nudge from the judge,” while another requires a more forceful shove! But you will only find out whether a nudge or a shove is needed if you listen.²⁰²

Commitment is an important part of judicial interaction. Your commitment to the team and participants is demonstrated by your willingness to engage in ongoing training and learning. Participant outcomes are significantly better when judges attend annual conferences on evidence-based practices in substance use disorder, mental health treatment, and community supervision.²⁰³ Our commitment is also demonstrated by participating in pre-court

¹⁹⁸ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 23.

¹⁹⁹ Flies-Away, *Tribal Health to Wellness Courts: The Judicial Bench Book*, 38.

²⁰⁰ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 23.

²⁰¹ Ibid.

²⁰² Flies-Away, *Tribal Health to Wellness Courts: The Judicial Bench Book*, 16.

²⁰³ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 23.

staff meetings to hear input from team members and ensuring that each team member is heard. Again, participant outcomes are significantly better when judges attend pre-court staff meetings.²⁰⁴ When judges do not attend, they are less likely to be “adequately informed or prepared when they interact with the participants during court hearings.”²⁰⁵ If you do not show up for staffings, you are conveying to the team that they are not important and worthy of your time. This commitment is also recognized as a core competency for drug court judges.²⁰⁶

To foster your judicial commitment, you may need to work with your Tribal Council to change the laws regarding your court to allow strengthen judicial commitment to THWC. The length of a judge’s term and having a consistent docket impacts participants’ outcomes.²⁰⁷ Judges should preside over THWC for at least two consecutive years and participants do better if they do not appear before alternative judges. Thus, your laws may need to be changed to ensure the THWC judge has a term of at least two years and that judge is the only judge hearing the docket. Judge Flies-Away writes this about commitment.

You as the leader, the captain, or the coach must model commitment to your Wellness Court’s vision and mission. The team will look to you for guidance. What might seem like small gestures, like arriving at staffings, hearings, meetings, and other events on time, set examples for the team. Good team dynamics often boil down to team members having empathy for each other—including their roles—and fostering healthy communication for all members. It is the role of the judge to foster these two factors within their team.²⁰⁸

Working as a Team and Fostering Collaboration

As we commit ourselves to the team and the participants, we need to remember the point of having a team is that we do not have to do all the work. And the team should not be doing all the participant’s work. We have a team, so we can make the workload easier and have more resources. The participant has a team to support him or her, while he or she engages in the work of recovery. But sometimes we can take on too much, because we feel as leaders it is our job, or perhaps one of our weaknesses is we are not good at delegating. In the following story, what mistakes did Maushop make in helping the people? What could he have done differently?

²⁰⁴ Ibid., 22.

²⁰⁵ Ibid., 23

²⁰⁶ National Drug Court Institute, Core Competencies Guide: Adult DCPI Trainings, 2, <http://www.wellnesscourts.org/files/NDCI%20Core%20Competencies%20Guide.pdf>.

²⁰⁷ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 22.

²⁰⁸ Flies-Away, *Tribal Health to Wellness Courts: The Judicial Bench Book*, 39.

*Maushop, the Good Giant*²⁰⁹

Back when the earth was new, there was a great giant named Maushop. He lived with the Wampanoag, the People of First Light. Maushop loved these human beings and thought of them as his children. He taught them many things and helped them in every way that he could. Before long, though, the people began to rely upon him for everything. "Maushop," the people would say, "we are cold." So Maushop would go into the forest and pull up dead trees. Then he would carry great armloads of them back to the villages of the people. "Thank you, Maushop," the people would say. "But those trees are so large. It would be hard for us to cut them up into firewood. Can you do that for us?" So Maushop would break the big trees up into firewood. "That is better," the people would say. "But firewood is heavy to carry. Can you bring piles of it to each of our wigwams?" So Maushop would carry the firewood to each wigwam and stack it in a neat pile by the door. "Now that we have firewood," the people would say, "we need something to cook because we are hungry. Can you bring us some food to eat, Maushop?" Once again, because he loved his Wampanoag people so much, Maushop would help them. He waded into the ocean and caught great fish with his hands. He carried them into the villages and cut them up into meat for the people.

So it went for a long time. Whenever the people needed help, they would call upon Maushop to help them. Because he was a great, strong giant, it was not hard for him, but the people began to rely on him more and more. Whether it was building their wigwams or gathering food and wood, they expected the good giant to do it for them. Then one day Maushop came into the village and found the people just lying about. "What are you doing?" Maushop asked them. "We have decided that it is too difficult to walk from place to place, they told him. "So, we would like you to carry us. Then we will not have to tire ourselves by using our legs." Maushop realized then that he had done too much for his Wampanoag people. They had become lazy. "My friends," he said, "I am sorry. I have done too many things for you. There is one final lesson I must teach you—to rely upon yourselves."

Then Maushop walked down to the place where the tall cliffs meet the ocean. The people followed him, begging him to stay. "We will work for ourselves," they said. "Please do not leave us." But Maushop knew what he had to do. He began to wade into the water. Deeper and deeper he went until he disappeared beneath the surface. When he came up again, it was in the shape of a great white whale. He swam away, leaving the people to care for themselves. Thus, he taught them one final lesson that the Wampanoag people still remember to this day.

²⁰⁹ Bruchac and Bruchac, *The Girl Who Helped Thunder and Other Native American Folktales*, 16.

Questions to Think About

1. What wise practices do you learn from Maushop?
2. What wise practices do you use to make sure you delegate and ensure the team and participants put forth effort?
3. What wise practices do you learn from your Nation's stories about delegating and team work?

Working with THWCs is rewarding but hard work. We work as cheerleaders, captains, and coaches, encouraging people to make hard choices. We are not called up to sacrifice our lives, like in the following story. But our position requires us to lead people down paths that are difficult for them, and not just participants, but our teams as well. Teamwork can be difficult, especially if programs you work with have a history of not working well together or restorative justice is a new concept to them. Many attorneys are only familiar with the Western adversarial system and may be reluctant to work with your THWC. In the following story, look for the wise practices Aliquipiso uses to lead her family to safety.

Sacrifice of Aliquipiso—As Told by Perry Ground²¹⁰

This story happened a long time ago, back when the Great Turtle Island was new.

There was a village of Oneida people where everyone lived peacefully for many years. But one day, a marauding band of Wendat (Hurons) came from the north and attacked the Oneida. The men fought bravely but there were too many of the Wendat and the village was overrun. The women and children were hustled away while the men stayed behind to protect them. Eventually, night fell, and the Oneida were able to make their escape to some nearby hills and cliffs. They climbed to the top of these rocky ledges to hide from their enemies; there they prayed for the Creator to watch over them. For days, the Wendat tried to find the Oneida, but the Creator had protected the people by covering their trail. They stayed hidden, high up on the hills and cliffs, but their food began to run low. They could not hunt and there was nothing to gather.

The men called a council to decide how to escape and save their people, but no plan could be agreed upon—to leave meant capture and enslavement by the Wendat, to stay meant starvation and death. That night, a young girl named Aliquipiso laid down to a troubled sleep. She dreamed all night long and in the morning called the council back together. She told the hoyane:h (Seneca word for Chief) she had dreamed of a way to defeat the Wendat. In her dream, Aliquipiso saw a spot high up on the cliffs where there were many huge rocks

²¹⁰ Ground, Perry (Onondaga), 2019. "Sacrifice of Aliquipiso." Facebook, June 26, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10211075152833884>.

that could be pushed on to the enemy below. The council looked for this spot and it was as the girl had dreamed. "How will we get the Wendat gathered below?" they asked. Aliquipiso told them she had dreamed that she should be captured and then lead the enemy to this spot; upon her signal the men were to push the rocks over the cliff to crush their enemy. The head men did not agree because they did not want to lose one more person to the Wendat.

But that night, Aliquipiso quietly slipped away from the camp and headed back toward her village. In the morning, Wendat scouts found her trying to enter her old home. They captured her and took her to the leader of their war party. He asked her the location where the Oneida were hiding but she refused to answer. Enraged, the Wendat began to torture the young girl but still she refused to answer. All day, they devised more and more hideous means to make her answer, but Aliquipiso remained silent. Even her captors began to respect the girl and her fortitude.

As night began to fall, finally the young girl could take no more torture, so she agreed to show the Wendat the hiding spot of her people. Through the darkness she led them toward the cliffs where her people were hidden. The Wendat warriors kept a close watch on her, looking for any sign of betrayal. Aliquipiso led them to the high cliff she had seen in her dream. Quietly, she motioned for the Wendat warriors to gather around her, as if she was going to whisper the secret way to find her people. The warriors crept close to the young girl.

Aliquipiso looked toward the top of the cliff and shouted out a piercing cry, "ONYOTA'A:KÁ:...Our enemies are here! Defeat them!!" The Wendat were surprised by this betrayal and moved to strike down the young girl. But at the same time, huge rocks and boulders began to rain down from above. The Oneida had followed the advice from Aliquipiso's dream and prepared for this moment! They pushed and threw down so many rocks that it seemed the mountain itself was falling on the Wendat...and on Aliquipiso. There was no escape from this torrent of rock and the Wendat were crushed and buried. Those that did escape ran back to the north and for a long time did not make war on the Oneida. The people were happy to be saved from their enemy but lamented the loss of the brave young girl. The Creator heard their cries of grief so turned the hair of Aliquipiso into Woodbine, known to the Oneida as "running hairs" and a good medicine. From her body sprang a different form of honeysuckle which is known to the people as "blood of brave women." When these plants are gathered, the story of the brave young girl is still told today. Da-neh-Ho!

Questions to Think About

1. What emotions prevented the Head Men from listening to Aliquipiso?
2. What emotions prevent you from listening to others?
3. How do you deal with these emotions?
4. What sacrifices do you have to make to be a judicial leader?
5. What are some wise practices Aliquipiso used to lead the people to safety?
6. What wise practices did she use to get them to work together when they were afraid?
7. How could you use these wise practices with your team and participants?
8. What other wise practices do you use from your Nation's stories to help your team and participants work together to undertake hard challenges?

Humility and Learning from Others

There are many ways to convey our respect to our teammates and the participants. One important element is the humility that as judges, we may not know everything. We have team members with greater expertise on subjects such as mental health and addiction. And even though we may be living in recovery, have dealt with mental issues ourselves or with our family members, and go to trainings, we are not trained experts in these areas. We convey our respect by eliciting their expert opinions and by listening to these experts. We used the story about the No Face Doll in another section in learning to understand consequences and sanctions, but it is worth thinking about in this context as well.

Legend of the No Face Doll—As Told by Perry Ground²¹¹

This story happened a long time ago, back when the Great Turtle Island was new.

The Haudenosaunee have always respected Jöhéhgöh (literal meaning is Our Life Sustainers) which are usually called the Three Sisters: Corn, Beans, and Squash. Those plants were happy to be loved and respected by the Haudenosaunee. Corn Spirit wanted to do even more for the Oñgwe?'oñwe (people) so she asked the Creator if there was anything more she could do; the Creator was pleased and showed Corn how to make a doll from her husks. When Corn Spirit made the doll, she gave it a beautiful face. Because it had a face, the Creator gave the doll instructions as happens with all living things. But the instructions were simple—play with children to make them happy. Corn Spirit sent the doll, and instructions to make more, to the people and they were incredibly happy. Everywhere the Doll went, people told her how beautiful she was. One day, as the Doll was going from one village to the next, she passed a pond that was very still. She looked into the water and saw the reflection of her

²¹¹ See note 189 ,Ground, Perry (Onondaga), 2020. "Legend of the No Face Doll." Please note this story also appears on page 126. We have repeated the story here for its multiple teachings.

beautiful face. "Oh, I am very beautiful," she thought. "I think I will sit here awhile and admire myself." The next day, the doll returned to the pond and again spent the day looking at her own beautiful face. And then again the next day. And the following day. And the day after that...and on and on.

The doll now refused to play with any of the children, even though those were her instructions from the Creator. This made the Haudenosaunee children very sad, and they begged and pleaded with the Doll to come and play. The Creator heard the cries of the Haudenosaunee children so gave the Doll a warning. "Do not think you are too beautiful to follow instructions. Do not think that you are better than everyone else," the Creator told her. He also told her that if she continued to disobey, she would receive a punishment. The Doll listened to the Creator and went back to playing with the children. Everyone was happy once again. But after a short time, everyone returned to telling the Doll how beautiful she was. The people argued and fought about who would get to play with her. While they argued, the Doll became very vain; she went back to the pond so she could look at her beautiful face. She again refused to play with any of the children, wanting only to sit by the pond and gaze at her own reflection. All the children were sad once again.

The Creator learned what the Doll was doing and became angry. He decided the Doll needed a punishment. The next day, the Creator sent a Screech Owl to the pond where the Doll would gaze at her reflection. Soon, the Doll arrived and took her usual spot along the edge of the pond. Suddenly, the Owl unfurled its wings and darted forward. Swooping down toward the water, Owl skimmed along the surface of the water until he reached the ponds edge. Then, right where the Doll's reflection was, Owl dove down and plunged his talons into the water! The Doll was startled and fell back against the shore as Owl hurriedly flew away. In the pond, the water had become filled with ripples. The Doll waited for it to lie still again. Then, she leaned forward and looked into the pond to again see her beautiful face.

But this time when she looked, she saw...Nothing! When the Owl had grabbed her reflection, he had taken away her beautiful face! The Doll was very sad, so she went to the Creator and asked for her face to be returned. She journeyed very far and went through many trials and completed many tasks to prove she was worthy of having her face restored. But in the end, the Creator decided that the Doll could not have her face. The Creator told the Corn Spirit to continue to make dolls from her husks but that they should no longer have faces. This would remind the Haudenosaunee that no one should be vain or conceited, that no person should think they are better than others, and that we should always follow instructions from the Creator. To this day, the Haudenosaunee refer to corn husk dolls as No Face Dolls so we can remember these important lessons. Da-neh-Ho!

Questions to Think About

1. What happened to the doll when she did not listen?
2. What can happen to our team and our participants if we do not show respect and refuse to listen?
3. What can you do differently to convey respect to your team members and participants?
4. What wise practices do you have in place to make sure you listen to your team, are humble, and not vain like the No Face Doll?
5. Are there other wise practices from your Nation's stories you could add?

Treating Participants with Respect

It is equally important to convey respect to our participants. This can be a challenge, initially they are angry and may not show respect to the team. However, this is an opportunity for the judge to give something to the participant that they rarely have received, respect. This is done by listening and recognizing the person's trauma and strengths. We must look past the substance use disorder and see the person and acknowledge their strengths. As we do so, the participant feels the respect we are trying to convey. In the following story, watch for the strengths and weaknesses of the Mother.

Brave Woman and the Flying Head—As Told by Perry Ground²¹²

This story happened a long time ago, back when the Great Turtle Island was new.

There once was a village of Haudenosaunee people that was built in a very good spot. The forest was full of game, there was a small river with clean water and the land was good for farming. The village had been in that spot for many years and the trees had grown up around it, providing shade around the houses. One morning, a woman awoke in her lodge and peered out of the door; seeing that it was a beautiful day, she decided to go and visit her cousins in a nearby village. This woman had a beautiful baby girl, just about a year old, and she wanted to show off this precious child. So the woman packed the baby onto a cradleboard, filled a basket with fry bread (to share as a gift in her cousin's lodge), and set off into the woods. As she walked, the woman listened to all the sounds of the forest—birds singing, leaves rustling in the wind, water flowing through the river—and it made a wonderful music. These sounds were so soothing to the woman's ears that she began to daydream as she listened. After a little while of daydreaming, the woman wandered off of

²¹² Ground, Perry (Onondaga), 2019. "Brave Woman and the Flying Head." Facebook, July 24, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10211228453906315>.

the path she was following and walked into the forest; she continued on that way for some time.

But after a while, she was snapped out of her dream by a deafening sound...it was the sound of silence! Everything in the forest had gone quiet—the birds were no longer singing, the wind had stopped blowing, even the water had stopped flowing in the river. The woman knew that something terrible must be nearby because the forest was always filled with sound. She looked around and realized that she had wandered deep into the woods and was now lost. She walked on a little farther, to find her way, when she heard a loud rustling in the bushes. To her horror, a giant Flying Head crawled out of the bushes and climbed a tree directly in the path that she was walking. The Flying Head shimmied along a branch until it was almost directly above the woman, and she knew that if she walked any farther, the Head would pounce down and devour her and her baby.

So, as quick as a rabbit escaping a bobcat, the woman turned and ran back the way she had come!! But the Flying Head saw her and let out a tremendous roar, "Ooohhhh Woman!! You can't get away from me. I'm going to gobble up you and that little baby!!!" Then, the Flying Head climbed the tree and, for the reason that they are known as flying heads, began to jump from tree to tree. The Head appeared to be flying through the forest!! And he was very fast!! Soon, the Head was very close to the Woman and reached out one of his claws to capture her. The Woman threw herself down onto the ground and the Head zipped right past her. She jumped up and began to run in a different direction but soon the Flying Head was upon her again. The Woman knew the Head would grab her this time, so she tried to think of another way to escape.

Just as she could feel the Head's hot breath on her back and sensed his terrible claws about to clutch onto her shoulders, the Woman looked down and saw the basket of fry bread she was carrying. This gave the Woman an idea on how she could trick the horrible Head. She reached into the basket and pulled out a piece of fry bread; making sure the Flying Head could see this bread, she tossed it onto the ground as she continued to run.

The Flying Head saw the Fry Bread and knew that this was something delicious. So the Head jumped down onto the ground, speared the bread with one of its terrible claws, popped the bread into its mouth (which was filled with rows of razor sharp teeth), and devoured the bread in one bite!! "Ooohhh, the fry bread is good...but I still want to gobble up that woman and her baby!!" roared the Head, remembering that people

are Flying Heads' favorite food. So the Head leapt up into the trees and began to "fly" through the forest again; soon it was caught up to tiring woman as she ran. "I have you this time," bellowed the Head, reaching out a claw to snare the cradleboard. As the baby stared wide-eyed at the approaching Head, the Woman reached into her basket and pulled out another piece of fry bread. She threw it onto the ground and again the Flying Head said "Ooohhh, fry bread...I love to eat fry bread!!" The Head jumped down onto the ground, stabbed the bread with a claw, threw the bread into its' mouth and devoured it in one bite. "Mmmm, that was delicious...but I was chasing a woman and her baby! I want to devour those people!!" So the Head took off again, chasing the Woman through the forest. Again and again, the brave Woman would drop pieces of bread and the Flying Head would stop to eat them. Finally, she could see her village through the trees; she knew if she could get into the village the Head would have no way to chase her. But the Flying Head was closing in again, so the Woman reached into her basket one last time. But the basket was empty!! No more fry bread!!! How could she escape this once more?!? Suddenly, one long, curved, sharp claw of the Flying Head snared the long hair of the brave Woman, almost pulling her to the ground. One more lunge forward and the Head would have her!!

So she took the basket and threw it into some bushes, hoping the Flying Head would chase after it. Sure enough, the Head followed the basket, yelling "A whole basket of fry bread...YUM!" But when the Head grabbed the basket and tossed it into his mouth...it was empty!!! The Head chomped the basket to pieces in his anger and ended up with splinters (because baskets are made of black ash wood) in his mouth! The Head had to stop and pull them out; while the Head was busy doing this, the Woman ran into her village and ducked inside her longhouse. "Whew, I can't believe I got away from that Flying Head!!! I think I will stay inside for the rest of today!" she said. But all that running had made her hungry and thirsty. So the Woman put a clay pot, filled with water, on the fire so she could boil some sassafras tea; then she took some chestnuts and rolled them into the fire to roast. After taking care of her baby on the cradleboard, the Woman came back to the fire to check on her meal.

But she wasn't the only one watching as the food was cooking. Outside the longhouse, the Flying Head was very angry that he had missed out on such a good meal. But then he spied the trees that had grown up around this village, which had been in place so long that the people never noticed them growing so big and knew he had found a way to get inside. So the Head climbed to the top of a tall, tall tree and, with a mighty leap, flew to the tree nearest the longhouse. With another mighty leap, the Head jumped on top of the longhouse!! Then, wiggling his way

over to the smoke hole, the Head looked down to find the Woman and her baby. Just then, the Woman had returned to her cooking fire and looked into the pot of water boiling her sassafras tea. The Woman saw her face reflected in the water; but she saw another reflection as well...it was the face of the Flying Head!! She knew the Head was going to pounce down upon her and gobble up all the people in the longhouse. But this was a very brave, and very smart, Woman. She quickly came up with another plan to outsmart the Flying Head.

The Woman bent down to the fire and rolled the chestnuts (although some versions say acorns) out of the coals. She picked up one of the chestnuts, cracked it open and began to eat it. Then, in a loud voice so the Flying Head could hear her, she said "Oh, these Hot Coals from the fireplace are sooo good to eat; I love to eat Hot Coals!!!" The Brave Woman took another chestnut, cracked it open, took a bite and said "Oooohhhh these Hot Coals are so delicious!! I'm glad I left that Flying Head in the forest, otherwise it would eat all my hot coals!!" As the Woman continued to eat the chestnuts, the Flying Head was shocked. "I didn't know Hot Coals were good to eat!?" said the Head. "I need to jump down there and try some of those!" So the Head jumped down through the smoke hole and crawled up behind the Brave Woman.

Then the Head roared, "Get away Woman!! I am going to eat all these Hot Coals!!" The Head pushed the Woman out of the way, and she watched as the Flying Head scooped his claws into the fire pit, grabbing up the REAL hot coals. The Flying Head tossed the glowing embers into his mouth and started to gnash his teeth together. "OOOOHHHHH...MY MOUTH IS ON FIRE!!!!" screamed the Head as the hot coals burned his mouth and tongue and teeth!! The Flying Head thrashed around the longhouse looking for something to drink but could find nothing to put out the flames spurting out of his mouth. So the Flying Head leapt back up to the smoke hole, jumped back to the trees that had grown up nearby, and flew into the forest. He found a lake not too far away and stuck his face into the cool water, lapping at the water to ease the pain in his burning tongue.

Then the Flying Head went back to his lair and called a council of all the other Heads. "Be careful!!" he admonished them, "The Ongwehonweh are very good to eat but they have powerful magic...they can eat fire and hot coals from the fire pit! When I tried, my mouth was burned badly. So be careful when you are around the human beings." And that is why, to this day, we rarely see Flying Heads...because when they see a human being, they run away thinking that we can eat fire and

hot coals. All thanks to the very Brave, and very Smart, Woman. Da-neh-Ho!!

Questions to Think About

1. What poor choices does the Mother make?
2. If you look past these choices, what strengths does the Mother exhibit?
3. What did she do to defeat the Flying Head?
4. What wise practices do you use to look past the poor choices and see strengths of participants?
5. What wise practices do your Nation's stories teach about how to convey respect?

As I discussed in the introduction, sometimes we make assumptions about people's appearances, and it impacts how we treat them. They feel disrespected if we just focus on their appearance. When we first meet some of our participants, their appearances may be very poor. They have been drinking and/or using drugs, not taking care of themselves and their appearance. Our participants also come to us with previously assigned labels, that sometimes they have borne for years; drug addict, loser, failure, terrible mother or father, or junkie. Our first interaction with these participants will set the tone for our relationship and can convey respect. In the following story, notice the differences between how Dirty Clothes was treated by his people and the Little People. Think about how our interactions can convey disrespect or respect.

*The Gifts of the Little People*²¹³

There once was a boy whose parents had died. He lived with his uncle who did not treat him well. The uncle dressed the boy in rags and because of this the boy was called Dirty Clothes. This boy, Dirty Clothes, was a good hunter. He would spend many hours in the forest hunting food for his lazy uncle who would not hunt for himself.

One day Dirty Clothes walked near the river, two squirrels that he had shot hanging from his belt. He walked near the cliffs which rose from the water. This is where the Little People, the Jo-Ge-Oh, often beat their drums. Most of the hunters from the village were afraid to go near this place, but Dirty Clothes remembered the words his mother had spoken years ago, "Whenever you walk with good in your heart, you should never be afraid." A hickory tree grew there near the river. He saw something moving in its branches. A black squirrel was hopping about high up in the top of the tree. Then Dirty Clothes heard a small voice. "Shoot again Brother," the small voice said. "You still have not hit him." Dirty Clothes looked down and there near his feet were two small

²¹³ Bruchac, *Iroquois Stories, Heroes and Heroines, Monsters and Magic*, 41.

hunters. As he watched, one of them shot an arrow but it fell short of the black squirrel. "Ah" Dirty Clothes thought, "they will never succeed like that. I must help them." He drew his bow and with one shot brought down the squirrel.

The tiny hunters ran to the squirrel. "Whose arrow is this?" asked one of them. They looked up and saw the boy. "Eee-yah," said one of the tiny hunters, "you have shot well. The squirrel is yours." "Thank you," Dirty Clothes answered, "but the squirrel is yours and also these others I have shot today." The two small hunters were very glad. "Come with us," they said. "Come visit our lodge so we can thank you properly." Dirty Clothes thought about his uncle, but it was still early in the day, and he could hunt some more after visiting them. "I will come with you," Dirty Clothes said.

The two Little People led the boy to the river. There a tiny canoe was waiting, only as big as one of his shoes, but his friends told him to step inside. He took one step...and found he had become as small as the tiny hunters and was sitting with them inside their canoe. The Little People dipped their paddles and up the canoe rose into the air! It flew above the hickory tree, straight to the cliffs and into a cave, the place where the Jo-Ge-Oh people lived. There the two hunters told their story to the other Little People gathered there who greeted the boy as a friend. "You must stay with us," his new friends said, "for just a short time so we can teach you."

Then the Jo-Ge-Oh taught Dirty Clothes things which he had never known. They told him many useful things about the birds and the forest animals. They taught him much about the corn and the squash and the beans which feed human life. They taught him about the strawberries which glow each June like embers in the grass and showed him how to make a special drink which the Little People love. Last they showed him a new dance to teach his people, a dance to be done in a darkened place so the Little People could come and dance with them unseen, a dance which would honor the Jo-Ge-Oh and thank them for their gifts.

Four days passed and the boy knew that the time had come for him to leave. "I must go to my village," he told his friends. So it was that with the two small hunters he set out walking toward his home. As they walked with him his two friends pointed to the many plants that were useful and the boy looked at each plant carefully, remembering its name. Later, when he turned to look back at his friends, he found himself standing all alone in a field near the edge of his village.

Dirty Clothes walked into his village wondering how so many things had changed in just four days. It was the same place, yet nothing was the same. People watched him as he walked and finally a woman came up to him. "You are welcome here, Stranger," said the woman. "Please tell us who you are." "Don't you know?" he answered. "I am Dirty Clothes." "How can that be?" said the woman. "Your clothing is so beautiful." At that, he saw his old rags were gone. The clothing he wore now was of fine new buckskin, embroidered with moose hair and porcupine quills. "Where is my uncle," he asked the woman, "the one who lived there in that lodge and had a nephew dressed in rags?" Then an old man spoke up from the crowd. "Ah," said the old man, "that lazy person? He's been dead many years and why would a fine young warrior like you look for such a man?" Dirty Clothes looked at himself and saw he was no longer a boy. He had become a full-grown man and towered over the people of his village. "I see," he said, "the Little People have given me more gifts than I thought." And he began to tell his story.

The wisest of the old men and women listened well to this young warrior. They learned many things by listening. That night all his people did the Dark Dance to thank the Jo-Ge-Oh for their gifts and, in the darkness of the lodge, they heard the voices of the Little People joining in the song, glad to know that the human beings were grateful for their gifts. And so it is, even to this day, that the Little People remain the friends of the people of the longhouse and the Dark Dance is done, even to this day.

Questions to Think About

1. Why did this boy react differently to the Little People than the boy in the previous story about Little People? What was the result of how he treated the Little People?
2. Why do you think Dirty Clothes was not afraid and treated the Little People well?
3. Why do you think others were afraid of them?
4. What wise practices do you learn from this story about how to interact with people?
5. How can you use these wise practices with your participants?
6. What wise practices does your traditions and customs teach you about how to treat and interact with people?
7. How do you use them when interacting with participants?

Using Words Carefully and Wisely

Words are very powerful. They are more powerful when used by a person in a position of power, such as a judge. There have been times when something I said to a

participant was received poorly, even though it was not what I intended. We will not always know what words will or will not encourage a participant. Nonetheless, part of a THWC judge is to use our words carefully and to encourage change. Of course, we will need to impose consequences, but those must be imposed in a positive manner, still encouraging the participant but teaching that the behavior is not appropriate. In the following story, the daughter did not use her words wisely. As you read the story, are there times you did not use words carefully?

*The Woman Who Married a Frog*²¹⁴

There once was a young woman who was very proud. She was the daughter of the town chief, and her family was very respected. Many of the young men wanted to marry her, but she thought none of them were good enough for her. One day, she was walking with her sister beside the big lake near their village. There were many frogs in that lake. A large number of them were sitting on a mud bank in the middle of the lake and she began to make fun of them.

"How ugly these frogs are," she said. Then she bent over and picked one up which was sitting on the muddy shore and looking up at her. "You are so ugly," she said to the frog. "Even another frog would not want to marry you!" Then she threw the frog back into the lake.

That night, when she stepped outside of her lodge to walk while the others were sleeping, she was surprised to see a young man standing there. His clothing was decorated with green beads, and he seemed very handsome. "I have come to marry you," the young man said. "Come with me to my father's house." The young woman agreed. She thought she had never seen such a handsome man before and wanted to be his wife.

"We must climb the hill to go to my father's house," the young man said, and he pointed toward the lake. They began to walk down toward the water, but it seemed to the young woman they were climbing a hill. When they reached the water, they did not stop, but they went under.

The next day, her family noticed that she was missing. They searched for her everywhere and when they found her tracks leading to the water, they decided she had drowned. They beat the drums for a death feast. People cut their hair and blackened their faces and mourned.

²¹⁴ Joseph Bruchac, *Native American Animal Stories* (Golden: Fulcrum Publishing 1992), 53.

One day, though, a man walked down by the lake. When he looked out toward its middle, he saw on the mud bank many frogs sitting there. There, in the midst of the frogs, was the chief's missing daughter. He began to wade in toward them, but they leaped into the water, taking the young woman with them. The man went as quickly as he could to the chief's house. "I have seen your daughter," he said. "She has been taken by the frogs. I tried to reach her, but the Frog People took her with them under the water."

The young woman's father and mother went down to the lake. There they saw their daughter sitting on the mud bank surrounded by the Frog People. As before, when they tried to reach her, the frogs dove in and carried her under the Lake with them. Then the chief's other daughter spoke. "My sister insulted the frogs," she said, "that is why they have taken her."

The chief saw then what he must do. He made offerings to the Frog People, asking them to forgive his daughter. The dishes floated out and then sank. But the frogs would not give up the young woman. They placed robes of fine skins on the bank. The young woman and the Frog People came to the bank and took those robes, but when the chief came close, the Frog People drew her back into the lake. The frogs would not give her up. At last, the chief made a plan. He gathered together all the people in the village. "We will dig a trench," he said. "We will drain away the water of the lake and rescue my daughter." The people worked for a long time and the water began to drain away. The Frog People tried to fill the trench with mud, but they could not stop the water from flowing out. The frogs tried to drive the people away, but the people only picked the frogs up and dropped them back into the water. They were careful not to hurt any of the frogs, but they did not stop digging the trench. The water continued to flow out and the homes of the Frog People were being destroyed. At last, the chief of the frogs decided. It was his son who had married the young woman. "We are not strong enough to fight these humans," he said. "We must give my new daughter back to her people."

So, they brought the young woman to the trench. Her father and mother saw her, and they pulled her out. She was covered with mud and smelled like a frog. One frog leaped out of the water after her. It was the frog who had been her husband. But the people carefully picked him up and dropped him back into the lake.

They took the young woman home. For a long time, she could only speak as a frog does, "Huh, Huh, Huh!" Finally, she learned to speak like a human again. "The frogs know our language," she told the people.

"We must not talk badly about them." From that day on, her people showed great respect to them. They learned the songs that the woman brought from the Frog People, and they used the frog as an emblem. They had learned a great lesson. They never forgot what happened to that young woman who was too proud. To this day, some people in that village still say when they hear the frogs singing in the lake, the frogs are telling their children this story, too.

Questions to Think About

1. How did the people help the young woman?
2. What wise practices do you learn from this story?
3. How might this change the way you interact with participants or team members?
4. What wise practices do you currently use to make sure you use good words that convey respect to participants and team members?
5. What have you done when you say something that is received poorly?
6. What wise practices do you learn from your Nation's stories that help you use words wisely?

Demonstrating Patience

Patience is critical when interacting with our participants and team. Often our participants do not follow the judge's instructions or orders. It can be easy to lose patience with them but losing our patience on the bench can have a long-lasting impact on our participants. As previously noted, our participants do better when we show respect and demonstrate fairness. In the following story, we learn what happens to the Owl because he is not patient. As you read about it, try to think about times you have been impatient and how you dealt with the consequences.

*How Owl Got Big Eyes—As Told by Perry Ground*²¹⁵

This story happened a long time ago, back when the Great Turtle Island was new.

Long ago, many animals looked different than they do today. Hawêni'o` (Seneca name for The Good Mind) had made all the creatures on Turtle Island but realized that they hadn't had the choice of how they wanted to look. So, he set about changing the animals to however they wanted to be. This was a very exciting time (imagine if you could choose how to look forever!) and everyone was thinking how they would like to be.

²¹⁵ Ground, Perry (Onondaga), 2018. "How Owl Got Big Eyes." Facebook, July 18, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10209326161430192>.

One animal, Gwa'yo:' (Rabbit), knew just what she wanted—long legs to run fast, sharp claws to defend herself, and big ears to hear everything around her. Rabbit at that time had very short legs and was very slow...many animals tried to catch her for their dinner! One day, Hawêni'o` came upon the Rabbit and said, "Mrs. Rabbit, how would you like to look?" Rabbit was very excited and told The Good Mind that she wanted long legs like a deer, sharp claws like a panther, and big ears like a lynx. "That will be easy," said Hawêni'o`. But another animal was sitting on a nearby tree branch, and he also knew how he wanted to look. "Over here, over here!" called out the Owl, "I want a long neck and the strongest wings and the best feathers and...." The Good Mind had turned to Owl and interrupted, "Owl, it is good that you know how you want to look. But you need to be patient. Rabbit is getting changed first." But Owl continued, "I also want a long beak and nice legs and the best...." Again, Hawêni'o` interrupted, "Owl, you must have patience. I will change you next." The Owl was excited to hear this.

Then, Hawêni'o` turned to the other animals who had gathered around. He said, "All of you must close your eyes or turn your heads away. I am about to do very special magic...no one is allowed to look." All the animals that had gathered listened to Hawêni'o` and turned their faces away. All except for one! Owl pretended to look away, but he could hardly wait to be changed and wanted to see what was going to happen. Hawêni'o` grabbed Rabbit by the waist and started pulling on her back legs. And by magic, those legs started to get longer and longer. Owl couldn't believe his eyes!! "Oh-o-wah, Oh-o-wah!!" he hooted. Hawêni'o`, the Good Mind, turned and saw that Owl was looking at his magic...this made him very angry! Hawêni'o` was so angry that he dropped Rabbit and rushed over to where Owl was sitting. "OWL, ARE YOU LOOKING AT ME!!" yelled The Good Mind and stared right into Owl's face. Owl was very afraid, and his eyes grew wide with fright! And because Hawêni'o` had his magic gathered around him...Owl's eyes got stuck that way!!

Then, Hawêni'o` plucked Owl out of the tree and grabbed him by the head. He said, "As a punishment for what you've done, instead of a long neck...now you will have NO neck!" Then, he pushed Owl's head right down onto his shoulders!! He tucked Owl's feathers close to his body, put mud on them so he would look drab, tugged his ears out so he would listen better...all the opposite of what Owl really wanted. Then the Good Mind said, "Owl, I am so angry with you, I want you to fly away. I don't want to see you anymore!"

Owl was very sad and flew away; he found a hollow tree and crawled inside. That is where he makes his nest right to this day; it is also why Owl usually comes out at night...he doesn't want anyone to see his face, or big eyes, or drab feathers, or short neck. And one more thing, Owl still doesn't like Rabbit very much and hunts him whenever he has the chance!

Then Hawêni'o` turned around to finish stretching out Rabbit. But, when He turned around, she was gone!! Everyone was gone! The Good Mind had yelled so loud that everyone had become frightened and run away. Hawêni'o` looked all around for Rabbit but she was hidden in her burrow and would not come out, even though she wasn't finished getting changed. So, to this day, Rabbit has short front legs, long back legs, and has to hop all around. And Owls have big eyes and short necks...and everyone in the forest learned to be patient and wait their turn! Da-neh-Ho!

Questions to Think About

1. What wise practices do you learn from the story about patience?
2. How did the Hawêni'o`'s reaction impact the owl and the rabbit?
3. What do you learn from the owl, rabbit, and Hawêni'o` that you can use as you interact with participants?
4. What happens when you lose patience with team members or participants?
5. What wise practices about patience do your customs and traditions teach?
6. Is there anything you would change about your current interactions with participants?

Building Trust

As part of our staffings and during Court, we discuss our participants' lives. As judges, we must lead our teams in making sure we are not gossiping but rather focusing on helping participants address their challenges and problems. Gossiping fosters distrust, while helping people builds trust. On a site visit, a team member once shared that the difference between sharing needed information and gossiping is whether you are just telling stories or developing a plan to address the participant's actions. Sometimes our participants do not want to share information because they do not trust us or do not like to talk to us about their lives and the challenges they are facing. How do you overcome this distrust? If they feel you are gossiping about them, you will never overcome the distrust. If they understand they use the information about their lives to develop a plan to help them with their obstacles, participants are more likely to develop trust. The following story teaches us about the consequences of gossip and not respecting differences. As you read this story, think about why the Tortoise and Little People helped each other, but others were mean to the Tortoise.

*The Box Tortoise and His Shell—As Told by Perry Ground*²¹⁶

This story happened a long time ago, back when the Great Turtle Island was new.

Box Tortoise was a quiet fellow. He minded his own business and lived happily in his own pond. There were two reasons Tortoise didn't talk to the fur or feather folk: he had a beautiful whistle that made songs sweeter than any bird could sing and, more importantly, he had a secret that he kept hidden in his shell.

Everyone who lived near the pond had seen Tortoise swimming in the water or basking in the sun on some rocks or sitting on a mossy log all while whistling his beautiful songs. Everyone had tried to talk to Tortoise, to ask about his whistle and also to learn about his secret. But Tortoise always kept quiet.

One day after being snubbed by Tortoise, Wolf (who was Chief in that part of the forest) called a council to force the quiet one to be more social and to share his secret. Everyone agreed to surround the pond and make Tortoise tell everything about himself. It is always that way in the forest when someone is very good at something or minds his own business or has a secret. Then, everyone wags their tongues and gossips and spreads jealousy. In these woods, tongues did wag, tails did wiggle (so did tales), ears flapped, and noses twisted up in the air...all because Tortoise minded his own business and was a good whistler. (It's a good thing this NEVER happens among the human beings!)

All the fur folk circled the pond—beaver, otter, mink, and muskrat with fox, bobcat, and bear. Above the pond flew osprey, hawk, heron, blue jay, and robin, along with all the rest of the feather folk. Along the edge of the pond gathered bullfrog, lizard, eel, and water snake, blocking any escape into the forest. Tortoise rose out of his den and saw that he had visitors all around the pond. He began to whistle when Wolf called out, "Greetings, we have come to visit you. Please come join our party."

Tortoise lifted his head and said nothing; he just kept on whistling. "Why are you so aloof? Do you think you are better than everyone?" asked Bear. Tortoise said nothing. "Where did you get that whistle and why won't you share it?" asked Raccoon, wishing he had it.

²¹⁶ Ground, Perry (Onondaga), 2021. "The Box Tortoise and His Shell." Facebook, February 21, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=899521654140832&id=172120836880921.

Tortoise said nothing. “You must be very bad to not talk with anyone and to keep your secret! What is wrong with you?” questioned Woodchuck. Tortoise said nothing. “People like you should be punished!” cried Otter. “Who will help torture Tortoise until he tells his secret?” Tortoise began to worry about his visitors.

Everyone agreed to help punish Tortoise. “What will each of you do?” asked Wolf because he was Chief. “I’ll chew his legs,” called Rabbit. “I’ll slap him flat with my tail,” said Beaver. “I’ll gnaw his shell,” chattered Weasel. “I’ll pick out his eyes,” squawked Heron. But still Tortoise said nothing. He just kept on whistling his beautiful song, minding his own business.

“Catch him now Warriors!” shouted Wolf. “We’ll teach him about being quiet and whistling such beautiful music!” All the animals charged forward—claws, fangs, beaks, and jaws all at the ready.

Tortoise tucked his flute into his pocket and then drew his arms, legs and head inside his shell. Then he dropped down into the pond until he sank into the mud. All the animals were left to flail at the water until they returned to their posts on shore. “Tortoise is so bad to be different from us—so good at whistling, so quiet, so good at keeping secrets,” whispered Chipmunk. “We will get him tomorrow,” called out Wolf and all the animals agreed.

The next day, Tortoise sunned himself on a rock for a while just minding his own business as usual. When he was warmed, he swam to shore and crawled under a log. There he found Jungie, Chief of the Little People of the Lake. They greeted each other as they were good friends. But Jungie knew something was amiss. “I saw what happened yesterday. Why are the animals all against you?” he asked. “They are trying to get me to tell all my business. They want my flute. And they know I have a secret which they want me to tell,” replied Tortoise. “What is wrong with saying nothing?” asked Jungie, clearly perplexed. “Is your secret still safe?” Tortoise answered, “Yes, I kept it safe since it is such a great gift.” Then Tortoise pulled out a small needle that was made of bird bone. It was sharpened at both ends and had a small hole drilled in the middle. It was the VERY FIRST bone needle in the whole world and had been fashioned by Jungie. “I am afraid there may be trouble and that I may need to use this precious needle. Do you have any string that I can use?” Tortoise requested of his friend. Jungie gave some sinew which Tortoise tucked into his shell along with the splinter needle. Then he crawled out from under the log and back toward the pond.

Once again, the fur and feather and skin folk had gathered around the pond. “We have you now!” shouted Wolf. “And we know you hide your treasures under that log. Everyone, pounce!!” The animals shouted vile names at Tortoise— “leather-neck,” “no ears,” “can’t talk,” “box back,” and more—but it was Osprey who swooped forward. Tortoise had just enough time to crawl into his shell when Osprey seized him and lifted high into the air. Hovering over a large rock, Osprey dropped Tortoise and watched him smash onto the hard stone. Tortoise was jolted from the impact and felt dizzy and woozy. His shell felt all cracked. He barely had his wits about him, but Tortoise saw Osprey tuck his wings and dive toward the pond; he knew he could not take another fall on the rocks. Quickly, Tortoise rolled over and sank into the deep water. Down he plunged to the very bottom and sat on a sunken log. Though he was shaken and sore from the fall, Tortoise took out his secret needle and string and began to sew his shell back together. There were many cracks and Tortoise worked hard to utilize the gift that Jungie had given him. Eventually, all the pieces were sewn back together, even though the cracks could still be seen along the shell.

Tortoise crawled under the log and found the home of the underwater Little People. They took him in and nursed him back to health. “Your time living in the water is done,” advised the Chief when Tortoise was recovered. “Go far ashore and don’t come back or the jealous animals may strike again. Find our woodland cousins and live with them in the leaves and grasses.” So, Tortoise crawled ashore and went deep into the woods and lives on land to this day. The cracks in his shell are still visible also as he was new to using needle and string. After a time, the fur folk and the feather folk and the scaly folk all felt bad for how they had treated Tortoise for he had done nothing wrong...just minded his own business. But Tortoise remembers and still says nothing to any of them. Da-neh-Ho!

Questions to Think About

1. What wise practices do you learn from the story about seeing others and respecting their differences?
2. What do you learn about gossiping?
3. What wise practices do you have in place to make sure your team is not simply gossiping during staffings?
4. Is there anything you might do differently after learning about the box tortoise?
5. What wise practices to your Nation’s stories teach about gossiping and building trust?

Active Listening Instead of Lecturing

As judges, when we talk with participants from the bench, it can be tempted to share our own stories in an attempt to encourage or help them. But this is not the best approach, as we need to hear the participants' stories and help the participants talk out their choices and decisions. Lecturing never changes anyone's lives. Although we do not tell or play jokes from the bench, the following story is helpful to help us think about what happens when we tell our stories, rather than listening.

*The Travelers Jokes—As Told by Perry Ground*²¹⁷

This story happened a long time ago, back when the Great Turtle Island was new.

A Mohawk man was known as He Travels because he liked to wander from place to place. But on one journey, He Travels became bored and thought he would create some mischief to make the trip more exciting. He knew of the custom for runners to carry important messages from village to village and that they announced their arrival by calling out "Goh-weh, Goh-weh!" So, He Travels decided to do the same in the next village he found.

When he came upon an Oneida village, he let out the traditional cry. Everyone gathered around and asked him to share the message. But He Travels said, "The news is very great. So great that at the last village, the people were so delighted they danced and shouted for joy. And all the women kissed me and begged me to dance with them." The Oneidas were surprised to hear this but did not want to be outdone by their neighbors. So, everyone began to sing and dance and shout with joy. The women began kissing He Travels and pulling him into the dance circle. When the songs and shouts were the loudest and the excitement was at a fever pitch, He Travels snuck away into the forest and continued on his journey. He left the Oneida wondering why they were so excited and why they had kissed the strange man.

Soon, He Travels came to an Onondaga village and called out "Goh-weh, goh-weh" so the people would gather around him. "Let us hear the news," they begged. But He Travels had more tricks to play. "In the last village, some people wept at my news while others took to quarreling and fighting," he explained very somberly. Those words immediately had the desired contagious effect on the Onondagas, who never want to be outdone by anyone. Great lamenting and wailing cries

²¹⁷ Ground, Perry (Onondaga), 2021. "The Travelers Jokes." Facebook, March 3, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=905346403558357&id=172120836880921.

could be heard along with arguing, scolding, kicking, and fighting. A great uproar ensued, and in the confusion, He Travels escaped once again. "What fools people are," he chuckled to himself. He Travels thought his journey was no longer boring but the most exciting he had ever been on!

That night, as He Travels prepared his camp, another man passed by and asked how far to the next village. The trickster saw another chance to outwit someone so said, "You cannot reach it tonight. Let us camp together and tell tales of our travels." The stranger agreed and they each began telling stories of their superior skills and cunning. Each tale grew bigger and more boastful as one tried to outdo the other. Finally, He Travels told of how he got an entire village of women to kiss him and dance with him AND made another village fall to fighting over nothing. The stranger frowned at this, saying it was beyond boastful to harm others. He Travels replied that he had even more tricks for the next village he could find.

The stranger began to prepare his bed and He Travels did the same, thinking he had proven who was the most cunning. But then the stranger asked, "What log is that you use as a pillow?" He Travels wasn't sure so guessed hickory, elm, and basswood but the stranger shook his head at each guess. "My magic can make it the log of everlasting sleep," he said ominously. He Travels just laughed, thinking the stranger was still trying to prove he had the best stories, and fell asleep.

As the sun rose, the stranger awoke while He Travels still slumbered with his head on his log pillow. Quietly, he took pine pitch and rubbed it over the eyes of his sleeping "friend." Then the stranger snuck away into the forest, laughing at the chagrin He Travels would feel when he tried to open his eyes and thought the tale of everlasting sleep had come true! "Good luck trying to find another village to play your tricks with your eyes closed so tightly!" laughed the stranger, sure that he was the one of superior cunning. No further accounts of He Travels' jokes were ever told. Da-neh-Ho!

Questions to Think About

1. What is the impact of the traveler telling jokes?
2. What wise practices do you learn from this story about what you share from the bench?
3. What wise practices do you learn from your Nation's stories about active listening?
4. What are some things that you might do differently, so you are not like the traveler?

Concluding Questions

1. What wise practices about judicial have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about judicial interaction? How can you share them with your team and participants?

Chapter 11: Key Component #9 - Continuing Interdisciplinary and Community Education

Continuing interdisciplinary and community education promotes effective THWC planning, implementation, and operation.

Continuing interdisciplinary and community education will not happen without the commitment and leadership of the THWC judge. Interdisciplinary training is critical to team success because THWC team members come from different agencies, backgrounds, experience, and training. To be able to work together successfully, team members need to understand their teammates' roles and responsibilities, ethics, and the legal framework of the THWC. The judge must work to ensure this training is provided either on-site and/or by attending various trainings. "[T]he knowledge gained from interdisciplinary education creates in each team member an intensive shared understanding about their peers that enhances their ability to more powerfully contribute to participant healing and the healing of their families."²¹⁸

There are several important areas of training that the team, including the judge, must attend. Prior to implementation, team members should attend a pre-implementation training.²¹⁹ Then the team should continue to attend drug court trainings at least on an annual basis to learn up-to-date knowledge about best practices.²²⁰ Team members also need training in drug testing.²²¹ Team members should be trained in the best practices in numerous areas, "including substance use disorder and mental health treatment, complementary treatment and social services, behavior modification, community supervision, and drug and alcohol testing."²²² Team members must also "learn to perform their duties in a multidisciplinary environment, consistent with constitutional due process and the ethical mandates of their respective professions."²²³ Other trainings will vary according to role. New team members should also receive a formal orientation on THWCs and best practices.²²⁴ Judges and court personnel need to understand the nature of addiction and treatment.²²⁵ Treatment providers often need

²¹⁸ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 70.

²¹⁹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 39; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 22.

²²⁰ Ibid.

²²¹ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 70.

²²² National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 45.

²²³ Ibid.

²²⁴ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 39; see also Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 22.

²²⁵ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 70.

training in criminal justice issues and court operations.²²⁶ For FTCs, a basic understanding of the child welfare system is important for treatment providers.²²⁷ Child welfare and legal professions need training in “understanding of the complex biopsychosocial and behavioral processes involved in substance use, trauma, and other mental health disorders and of effective treatment approaches.”²²⁸

It is also important for the THWC team and participants’ success to attend up-to-date training on “recognizing implicit cultural biases and correcting disparate impacts for members of groups that have historically experienced discrimination.”²²⁹ This type of training has been effective in reducing bias in decision-making processes in child welfare, treatment, and in courts.²³⁰ Cultural humility can increase effectiveness.²³¹ “Cultural humility teaches that a person cannot become an expert in another’s culture and that not all groups are culturally homogenous. Cultural humility focuses on teaching practitioners to be open, to be self-aware of their own biases and positionality, and to seek ways to reduce power differentials.”²³² Even though THWCs focus on historically disadvantaged groups, it is still important to attend these types of trainings and as a team discuss and address any implicit cultural biases that may occur in your community. Team members will have various backgrounds and experiences with Native communities. And within Indian Nations, community members have different experiences with their culture.

Engaging in training as a team is a best practice. Training together as a team builds collaboration and systems linkages.²³³ The other benefits of training as a team include ensuring all team members are familiar with the mission, vision, goals, objectives, policies, procedures, and outcomes; maintaining a high level of professionalism; promoting team member commitment and collaboration; and developing a shared understanding of court operations, accountability, and treatment approaches.²³⁴

It is our responsibility as judges to make sure our new and current team members are continually engaging in training. Judges lead the way by finding funding for training through grants and scholarships, and also attending these trainings. If the judge is not attending these trainings, team members will be less inclined to do so as well, as the judge is sending a message that they are not important. Some trainings can be provided

²²⁶ Ibid.

²²⁷ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 22.

²²⁸ Ibid., 22–23.

²²⁹ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume I* (2018), 12.

²³⁰ Center for Children and Family Futures and National Association of Drug Court Professionals, *Family Treatment Court Best Practice Standards* (2019), 53.

²³¹ Ibid.

²³² Ibid.

²³³ Ibid., 23.

²³⁴ Ibid.

on site, and as judges, we can invite partner agencies to set aside time to allow their employees to attend. As we train and learn together, our teams will prosper, and our participants will benefit. Currently the NADCP Adult Drug Court Best Practice Standards and Family Treatment Court Best Practice Standards do not address community education. However, those who work within THWCs know the importance of the community understanding addiction and THWCs. Community support is critical to the success of THWCs, otherwise community members and tribal governments question what happens in THWC and why people are not put in jail when they relapse. The judge must invite members of the tribal government to learn about the THWC and find creative ways to educate community members. This can be done in collaboration with team members through wellness activities and events, speakers, and youth programming.

Encouraging Team Members

As judges, it is our responsibility to lead and encourage our team members to engage in training, but this is not always easy. Team members are busy with their daily responsibilities. Sometimes we may perceive their unwillingness to engage in training as an unwillingness to change or improve or sometimes even laziness. We may not understand or see their good traits. We should take the time to understand any reluctance, is it hard to get away from family? Do they have fears about travel or flying? Are there issues with their office or department that makes it difficult for them to be away from the office? Or are their other issues? In the story “The Lazy Hunter and Panther Woman” ponder about why the Lazy Hunter is not interested in learning how to hunt and what you could do to help him.

The Lazy Hunter and Panther Woman—As Told by Perry Ground²³⁵

This story happened a long time ago, back when the Great Turtle Island was new.

When the Seneca people lived along the Genesee River, there was an orphan, who lived on the kindness of those around him. Everyone called him Haksa'a:a which simply means Boy. Although he was 20 years old, Haksa'a:a still acted like a child. One day, Haksa'a:a was wasting time near the longhouse of the Chief when one of his son's, a young man known to be cruel and play tricks, came out and said, “Don't you feel poor and lonely being lazy like you do?”

²³⁵Ground, Perry (Onondaga), 2020. “The Lazy Hunter and Panther Woman.” Facebook, December 28, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=866903294069335&id=172120836880921.

Haksa'a:a just shrugged and said, "No. But maybe someday I will find a wife if I get lonely." When the cruel young man heard this, he knew he wanted to play a trick on the lazy Haksa'a:a. "Maybe my sister will marry you?" he replied. "She is very beautiful, and many men want to marry her but she has turned them all down. Should I ask her for you?" Again, Haksa'a:a just shrugged. "Your sister is very beautiful. She is as good as anyone else to marry. You may ask her for me," he said. The cruel brother went to his sister and reported that he had found a husband for her. He described Haksa'a:a as the most handsome of men, as the best hunter, as the richest in furs, wampum, and tools. The sister was impressed and agreed to marry this man. The next day, the cruel man brought his sister to Haksa'a:a and said "Meet your new husband...the poor, dirty, orphan boy!" Then he laughed his terrible, cruel laugh. But to his surprise, the sister fell in love with Haksa'a:a and gave him the marriage bread. She gave him new leggings and moose hair embroidered moccasins and tied up his hair. Haksa'a:a accepted all these and was married to the beautiful sister. Then, he moved into the longhouse of the Chief's family. The cruel brother was filled with jealousy over how everyone treated Haksa'a:a after that.

Fall arrived so it was hunting season. The new wife wanted to go on the hunt with her new husband to secure meat for their family. The cruel brother did not want either of them to go but the Chief insisted. The problem, Haksa'a:a had never been on a hunt. "I will try; maybe I will be a good hunter," he mused. The hunting party set out, made camp, and began to hunt. But no one would take Haksa'a:a out to show him how to hunt. Instead, he wandered to a place where there were many grapevines. He fashioned a swing from the vines and sat in it all day, not even trying to find game. That night, Haksa'a:a went back to the camp empty-handed. The next day, he went back to his swing and wasted the entire day. And the next day. And the next. And the next. Day after day, Haksa'a:a sat in his swing, coming back to camp empty-handed each night. Finally, the cruel brother was tired of sharing his food (he had killed many deer) and told his brothers, "I don't think Haksa'a:a is trying to hunt; we should watch him tomorrow." The other hunters agreed.

Next day, the brothers followed Haksa'a:a and found him lazily swinging and wasting time. "Ahgey!!" yelled the cruel brother, "We have been working hard all this time to feed you and your wife while you are being lazy and wasting time. Now we will leave you here in the forest!" The brothers abandoned the camp, leaving only scraps of food for their sister and Haksa'a:a.

Still, Haksa'a:a did not hunt, only spending his days in his swing. One day, a Hawk landed close to the swing and watched as the lazy man drifted back and forth. Haksa'a:a did not like being watched so he took out his bow and shot the Hawk. It fell near the swing but Haksa'a:a was too lazy to go and pick it up. When he arrived at camp that night, his wife was weak with hunger. "Our food is gone and I fear we will starve. You must kill something for us to eat tomorrow," she pleaded. "Maybe tomorrow I will hunt for something," said Haksa'a:a. But the next morning, he returned to his swing.

As he started his lazy arcs, Haksa'a:a heard the frightened sound of a woman crying. The cries were coming nearer so he stopped swinging. Just then, a woman and two little boys came out of the forest. "Please help us," she begged. "My boy stole a feather from our neighbor and destroyed it; now he is chasing us and will kill us all!!" No sooner had she said these words, than a deep rumbling and roar came from the North. The ground began to shake and Haksa'a:a saw trees quiver and fall. Out of the forest gloom came a Whirlwind, a giant head with enormous eyes, long fiery hair, sharp teeth, and without a body except powerful arms to grasp his prey.

This Flying Head stopped by the tree where Haksa'a:a had his swing. "You know what you have done," barked the Head. "Now harm must come to you and your cubs." "Why are you angry with this woman?" asked Haksa'a:a. But when he turned to point at the crying woman, he saw that she was not a woman at all...she was a panther! Haksa'a:a was stunned but knew he must help her and her children/cubs. "What has she done to you?" he continued. The Flying Head fixed a terrible gaze on Haksa'a:a. "Her son tore up the feathers from my best gustoweh," he said. "That must be a nice headdress if you like it so much. What was type of feathers was it made from?" asked Haksa'a:a. Whirlwind replied, "It was the finest feathers from a red-tailed hawk and will be impossible to replace!" Haksa'a:a thought about this. "What if I gave you hawk feathers that were even nicer? Would you then leave this Panther...er, woman...and her children alone?" He looked toward her and she was a woman again. "Those birds are very hard to hunt, especially for someone as lazy as you!!" bellowed Whirlwind.

Haksa'a:a jumped off his swing and went behind a tree. He clapped his hands and said a chant as if he were trying to catch a hawk by magic. Instead, he bent down and picked up the bird he had killed the day before. Then he came out from behind the tree and tossed the hawk to the Head. Whirlwind caught it and exclaimed, "These are even nicer than the feathers I had before!" "Then hurry back to your lodge and leave

this..." he looked and saw that she was a panther again, "panther and her cubs alone!" called out Haks'a'a. So, Whirlwind flew away to his lodge. "Thank you for your help," cried the woman...she was a woman again!...as she approached Haks'a'a. "In return, I will help you with your hunting and you will always have meat and skins. Go to that hill (she was pointing) and you will find two bucks fighting. They are so engaged in combat, when you kill the first, the second will not even run away."

Haks'a'a went to the hill and found the two fighting bucks. But bringing them down could be hard work and Haks'a'a did not want to do that! So, he waited until the bucks killed each other; he cut off a hunk of meat and carried it back to his wife who was almost starved. She hurriedly cooked the meat and devoured it. Then, Haks'a'a and his wife dragged the deer back to their camp, skinned them, and cut up all the meat.

As they finished this work, Panther Woman approached their camp. "You have saved me and my cubs from Whirlwind," she said. "Hereafter, I will help you hunt and you will always find plenty of game." And Panther was true to her word. Within a few days, Haks'a'a and his wife had a great store of meat and lots of skins. "We should find your brothers and invite them back to our camp so we can share our food," Haks'a'a said to his wife one night after another successful hunt. She agreed so Haks'a'a set out to find them. Along the way he killed a deer to share with them and show his new prowess.

When he found the brothers, they were in a terrible state. Huddled near a small fire, the brothers explained that they could find no game and were starving. "Your sister and I have plenty; come back to our camp and we will share," said Haks'a'a. "How could you have plenty?!?" snarled the cruel brother. "You are too lazy to hunt. You probably came to us to beg more food!"

Haks'a'a then presented the brothers with the deer he had killed on the way. Their eyes went wide with disbelief! Haks'a'a built up their fire and the meat began to cook. The brothers could not believe their good fortune and promised to return to camp that night, after eating the venison roasting before them. So Haks'a'a hurried home and told his wife to prepare the camp. When the brothers arrived, they were joyfully surprised at all the hunting Haks'a'a had done. They were even more surprised when they went out hunting with him and the game came to them as if by magic.

At the end of the hunting season, the brothers, their sister, and Haksa'a:a returned to their village. He was no longer an orphan or poor or lazy. He lived happily with his wife and his brother-in-law, who was never cruel or jealous of him again. Da-neh-Ho!

Questions to Think About

1. Why did the cruel brother not like Haksa'a:a? How do you think this impacted Haksa'a:a?
2. What good qualities or talents does the Lazy Hunter possess?
3. What prevents him from learning how to hunt? Why do you think he was lazy?
4. What changes him?
5. Why did he share his food with the cruel brother?
6. What wise practices do you learn from your stories about encouraging team members to learn new skills?
7. What wise practices can you implement as a judicial leader to help team members who may be resistant to training to change?

Interdisciplinary Training

As an interdisciplinary Court, we engage in interdisciplinary training to learn about one another. Sometimes THWCs bring together team members who have not worked well together in the past. Suddenly they are team members and must learn to work together for the participants to be successful. Interdisciplinary training, or the learning about another organization will help this process. Sometimes interdisciplinary training is like learning about another culture or even species! We read the story, *The Boy Who Lived with Bears*, previously, but it also applies here. How does it apply to learning about other disciplines on your team?

The Boy Who Lived with Bears—As Told by Perry Ground²³⁶

The story happened a long time ago, back when the Great Turtle Island was new.

It was a time of strife and the Cherokee had come to attack the Haudenosaunee. The people had to flee their village but an old woman, who was raising her grandson, could not keep up if she carried the boy. So, she placed the boy, Hono' was his name, in a hollow in a tree promising to return. Hono' waited many days but Grandmother did not come back. He was very hungry, lonely, and afraid when he heard

²³⁶ Ground, Perry (Onondaga), 2020. "The Boy Who Lived with Bears." Facebook, December 20, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=862045587888439&id=172120836880921.

someone approaching his hiding spot. Hoping it was his family come to save him, Hono' poked his head out of the hollow. But it wasn't his family...it was a Mother Bear!! Hono' screamed and cried in fear but the Bear took pity on him. She told the boy not to cry, that she would feed him, protect him and keep him warm in her den. Mother Bear took the boy to her den to raise him. Although she had two cubs of her own, Mother Bear cared for Hono' as if he were her own child. The boy and the cubs became like brothers; they played together, slept next to each other, climbed trees together, wrestled in the leaves, and ate all the nuts and honey Mother could bring to them. Hono' loved his new family.

One day, Mother Bear smelled something in the air and heard hunters coming toward her den. She growled out a warning and her cubs, including Hono', scurried into the den. As she moved to hide in the den also, Mother Bear tossed rabbit hairs into the wind; the hairs magically turned into rabbits that the hunters chased, going away from the den. Another time, Mother Bear tossed partridge feathers into the wind that magically turned into birds and led some hunters away. A third time, the hunters were close to the den so Mother Bear rushed out and charged the hunters. She roared and scared the hunters away from her cubs. But she knew they would be back now that they knew when she lived. She thought she could run away with her two cubs...but what of Hono' who had become her child also?

Just then, she heard someone approaching and whirled around, ready to defend her children. But it was only Porcupine, Chief of the Forest, walking through the bushes. Mother Bear called him and explained her fear for her cubs, especially her adopted son. Chief Porcupine decided to call a council of all the animals; working together, he thought they could save the boy who had become like a bear. Chief Porcupine sent out word of the council and when all the animals and birds assembled, Porcupine told them about Mother Bear's dilemma. "Who can take this boy and save him from the bear hunters?" he asked. The animals looked at each other until some of them, all of whom conspired to rid the forest of men, spoke up. They all disliked the People because the animals thought the People were becoming too powerful.

Beaver spoke up, "I will take the boy and let him live in my lodge. He can chew on bark like I do." Then Fox said, "I will take the boy and show him how to hunt for small animals that are good to eat." Wolf cried, "I will take the boy." Then the Panther, then Raccoon, Deer, and Coyote. Each promised to take care of the boy, telling what they would feed him. But evil lurked in their hearts—each planned to do away with the child as soon as possible. Mother Bear listened, wondering who would be best for

her son. Chief Porcupine asked her, "Which one of these animals do you want to take your son and keep him safe?" Mother Bear thought very hard and roared "It will be NONE of you! I know that you all do not like Ongwehonweh (human beings) and think this is your chance to get rid of one." The animals were shocked that Mother Bear knew their intentions. She continued, "Beaver—you would drown the boy on the way to your lodge; Fox and Coyote—you would leave him in the forest to die; Raccoon—you would make him climb high until a branch broke and the boy fell; Panther and Wolf—you both are looking for something to eat!!" Chief Porcupine asked, "What shall we do with Hono' when the hunters come back to your lodge?" As he spoke, they all heard a rustling in the Council Tree. Suddenly, swooping down from his perch, the great Eagle landed in front of Mother Bear.

Eagle spoke loudly and clearly, "Let me take the boy, Mother Bear, and I will protect him. My wings are swift and strong and I will fly far away from the bear hunters." Mother Bear looked hard into Eagle's eyes, trying to determine if he was telling the truth. "I will take Hono' to the lodge of some Ongwehonweh that I know," said Eagle. "They do not have a child and would raise this boy well. He would be wanted and loved and safe."

Mother Bear looked once more into Eagle's eyes and said "Yes Eagle, you may take my son. I trust you and know you will protect him." Eagle spread his wings as Mother Bear placed Hono' on his back. The boy gave his adopted mother one final bear hug and then Eagle lifted off into the air. Away they soared through the forest until Eagle landed in a clearing.

He left Hono' alone, hungry, and afraid but knew the lodge of a childless couple was close by. Eagle screeched loudly and the couple came to the clearing. They found Hono', overjoyed to adopt him. The boy was raised well and grew to be a great hunter; he was well known for his generosity in sharing his game with others. Hono' could find a bear trail faster than anyone but he never cut down a bear tree or killed a bear. When he grew older, Hono' married a beautiful, Bear Clan woman and together they had several wonderful children. But the family never were seen wearing bear skin robes. In their lodge there were many wolf, panther and coyote furs. And several fox and beaver fur robes and blankets. They had many clothes made from deer skins. But never anything from a bear for Hono' remembered his Mother Bear and his two brothers and how he had once lived with the Bears. Da-neh-Ho!

Questions to Think About

1. Why do you think the Mother Bear save Hono’?
2. How did the Boy benefit from living with the bears?
3. Why did Porcupine use a council to decide how to help Mother Bear?
4. Is it possible to counsel together and come to a wrong decision? What do you do when that happens?
5. What led to the animals wanting to take Hono’ and care for him?
6. How do you work on biases within your team?
7. Why was the Eagle able to safely help Hono’?
8. After he left the bears how did he treat bears?
9. What wise practices can we learn from this story about how we can learn and treat others from a different organization?
10. How do we sometimes act like Beaver, Fox, and Coyote when we work with other organizations?
11. How can interdisciplinary training help us to be like the Eagle?The Importance of Engaging in Training

Sometimes as judges, we feel we do not need to participate in training. We may not articulate this thought, but inside are boastful of our training and experience. Or feel we have already received enough training. Even if we do not feel this way, we may convey that when we do not participate with the team in trainings. Although we are busy with our other dockets, by not attending trainings, we send the message that it is not important. We may also find people on our team that fall into this trap. As you read the story “The Fox and the Boastful Suitor,” think about what message you send about training to your team members and how you might better strive to engage them in training.

*The Fox and the Boastful Suitor—As Told by Perry Ground*²³⁷

This story happened a long time ago, back when the Turtle Island was new.

There was a very handsome Haudenosaunee man who lived in a fine longhouse with the rest of his clan. He wore fine buckskin clothes decorated with beautiful quillwork (his sisters were very skilled). He thought himself the best hunter in the village and able to catch more fish than any other man (but it was really his cousins who looked out for him). He had a fine gustoweh made of beautiful goose feathers and fine eagle feathers (but this story is not about me!) and around his neck he wore a finely carved bone necklace (still not about me!!). One day, this

²³⁷ Ground, Perry (Onondaga), 2021. “The Fox and the Boastful Suitor.” Facebook, June 16, retrieved on October 9, 2023, <https://www.facebook.com/TalkingTurtleStories/posts/448805173133228>.

handsome man mounted his horse and set off for a nearby village. He carried with him a bag filled with fat fish (he had traded his mother's corn paddle for them for he couldn't catch them on his own) and he was going to visit a beautiful young woman to convince her to marry him. He was sure that if he presented the fish to her mother, then she would be allowed to bring him the marriage bread. As he was riding through the forest, the handsome man began to sing a boasting song about himself. But there was someone else in the forest who heard that song. It was the Fox! We all know how tricky a Fox can be!!

As the man rode closer, Fox jumped up and sat on a log to see who was coming. He saw the handsome man astride his horse and prepared to run away. Fox knew that if the Haudenosaunee man saw him, he would be hunted for his wonderful fur coat. But before he could dash into the bushes to hide, Fox caught scent of something. Something very delicious!! Fox was very hungry because he had had bad luck on the hunt; now his stomach began to rumble and growl. As the man rode closer, Fox saw the bag the man carried and, from inside, he could smell those fat, delicious fish. Oh how Fox wanted those fish for himself!! The handsome man was coming up a small hill so Fox dashed off before he was spotted. He hid in the bushes waiting for the man to pass and hoping for an opportunity to spring out and snag the bag filled with fish! The man rode past Fox's hiding spot.

Just then, Fox's stomach gave out a very loud growl and the handsome man turned toward the sound. Fox dashed off into the woods to hide. As the handsome man rode on, he began to sing again. "Who is the bravest man around? Who has the finest clothing? Who tells the best stories (again, this story is not about me!) Who is best fisherman in the village? Who plays the best lacrosse in the land? Why, I should know because that man is me!!" Fox heard the handsome man singing all these things and thought, "This man is so boastful, I'm sure I can play a trick on him and get those fish!" And then, Fox got one of his tricky ideas in his head!! He dashed through the forest and got ahead of the handsome man. Fox laid himself in the middle of the path and pretended that he was dead. He closed his eyes, he opened his mouth, he let his tongue hang in the dirt, and, not moving a muscle, waited for the man to approach. Very soon, the handsome man rode to the spot where Fox was waiting (still singing his boastful song of course) and stopped his horse. "Ahgey, what is this? A dead fox?" he asked. He climbed down from his horse and picked up a sharp stick.

The man reached out and poked the Fox in the side. Fox did not move at all. The man bent closer and poked a little harder...still Fox did

not move. "Whew, this Fox smells BAD!" said the man. "He must have been dead for a long time (at this the Fox barred his teeth but the man didn't see). But the pelt is in fine condition. I will take it to impress this girl; she will think I am a great hunter!" So, the man picked up the Fox and put him in the bag with the dead fish. "I will skin the stinky Fox later so I don't dirty my fine clothing," said the handsome man as he rode on.

Soon, the man began to sing his boasting song again and Fox knew that his deception had worked!! He would need to thank opossum for teaching him the playing dead trick but that would wait for another time. Fox began to gnaw on the bag he was trapped in; he was careful that the boasting man didn't hear him but the singing was so loud, and so BAD (ok, this part of the story could be about me also), that the man never heard a thing. After a short while, Fox had chewed a fair-sized hole in the bag. He grabbed the fat fish and, one-by-one, slipped them out of the bag! But Fox had a problem...he was still inside the bag! Suddenly, the handsome man stopped singing and said, "There is the village of my beloved. Now, I will show her and her family what a fine hunter and fisherman I am."

Fox knew he was about to be caught. So he began to furiously chew away at the hole in the bag. Just as the handsome man rode into the village, the hole opened just enough that Fox could wiggle his way out! He landed with a thud but jumped off and ran off down the path the way they had come. Along the way, he stopped to pick up the fish he had dropped out of the bag. Then Fox went home and roasted the fish, making the best meal he had eaten in a very long time. When his belly was full, he laid down to sleep. Just as he was drifting off, he wondered "I wonder how that handsome man made out with the girl in the village? Especially with just an empty bag to show her!!" Fox giggled himself to sleep.

Meanwhile, back at the village...the Handsome Man rode up to the longhouse of the girl he was interested in. He began to sing his song about what a terrific hunter he was (and had a fox to prove it), and what a fantastic fisherman he was (and had a sack full of fish to prove it), how beautiful his clothes were (and had the quillwork to prove it) and what a great husband he would make if only the beautiful girl inside the house would give him the chance to prove it. Many people heard the man and his terrible singing, plus they couldn't believe someone would be so boastful, and gathered around his horse. The young girl and her mother came out of the longhouse so the Handsome Man dismounted. He grabbed the bag and, with a flourish, presented to the girl's mother. The woman took the bag and looked inside...and then hit the man over the

head with the empty bag!! "You would give me an empty bag, one that even has a hole in it!!" she yelled at him. The Handsome Man grabbed the bag and looked in. Sure enough, the fish were gone, the fox was gone and there was a big hole in the bottom! He was very embarrassed and now the mother was hitting him around the head with a big red willow switch she had grabbed. The man jumped on his horse and rode away as quickly as possible, listening to the laughter echo behind him. Never again did he go back to that village and never again did he sing his boastful song. Da-neh-Ho!

Questions to Think About

1. What was the end result of the Suitor's boasting?
2. What do we as judges need to do to ensure we do not fall into this trap?
3. What prevented the Handsome Man from being a good fisher?
4. Are there times or behaviors we engage in that seem boastful? What can we do to change those behaviors?
5. What wise practices can we as leaders implement to be sure our team understands they always need to engage in training?
6. What did the fox learn from the opossum and how was this helpful in his quest?
7. What is something you can learn, or have learned, from a team member that has helped you in your role as a judge in THWC?

The Importance of Community Education

Training team members and educating the community sometimes must be done a little piece at a time, particularly community education on addiction. Many of our communities have high rates of addiction because of colonization by Federal and State governments. The laws and policies of outside jurisdictions have been used against our people and Nations to break up our families and land holdings to assimilate us. We must work slowly to heal our people from the historical trauma, and part of this process is community education about addiction. In the Story of Tu-tok-a-nu-law, we learn a lesson about the importance of engaging in work slowly. Think about how this might apply to educating your community on substance use disorders.

*The Story of Tu-Tok-A-Nu-La (Miwok)*²³⁸

Long, long ago, a mother bear and her two cubs were out walking around when they came to the river that flows through the valley of Yosemite. They waded in and the cubs began to play in the water until all three of them were soaking wet. When they climbed out, they lay down in the sun on a great flat stone to dry their fur. Soon they fell asleep in the warm sunlight.

While they were sleeping, a strange thing happened. The earth moved beneath them, and the stone they were sleeping upon was raised up so high that it almost reached the moon. When the mother bear and her cubs woke, they found themselves trapped on the top of the great steep-sided stone. They began to call for help.

In the valley below, the other animals heard their cries. A council was held and it was decided that someone should climb up to help them. "I will rescue them," Meadow Mouse said. But Meadow Mouse was only able to crawl a short way up before sliding back down. "I will be the one to do this," Pack Rat said. But he, too, slipped back down to the bottom. "Hah! None of you can climb like I can," Raccoon bragged. But he got no further than the others before he slid back to the valley floor.

"Climbing will not do it," Grizzly Bear roared. Then Grizzly Bear tried to leap up to the top of the great rock. But even though he jumped very high and grabbed the side of the rock with his sharp claws, he could not pull himself up. Grizzly Bear slipped back down to the ground, his claws leaving long scrapes in the side of the great rock. "Watch me. I will do this thing," Mountain Lion growled. He leaped higher than Grizzly Bear, but Mountain Lion did not reach the top either and his sharp claws left even more marks on the side of the rock.

While those other creatures were boasting about what they would do, little Measuring Worm was crawling toward the great rock. Without saying a word, she began to climb. Measuring Worm could move only a little at a time—no more than the length of a finger. But even though she climbed slowly, she did not slip back at all. The sun moved across the sky, and then the moon appeared, and still Measuring Worm kept on climbing. One day passed and then another, but she never stopped.

²³⁸ Bruchac and Bruchac, *The Girl Who Helped Thunder and Other Native American Folktales*, 63–64.

Finally, Measuring Worm reached the top of the great rock. She spun a rope and used it to lower the mother bear and her three cubs back down to the bottom. That great stone still rises above the valley of the Yosemite. Although today most call it El Capitan, the name by which the old people knew it is Tu-tok-anu-la, Measuring Worm's Rock.

Questions to Think About

1. Why were the animals not successful?
2. Why was the Measuring Worm successful?
3. What wise practices do we learn from Measuring Worm that can help us in educating the community about addiction?
4. What wise practices to help you educate your community?
5. Is there something you could do to improve?

Concluding Questions

1. What wise practices about continuing interdisciplinary and community education and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about continuing interdisciplinary and community education? How can you share them with your team and participants?

Chapter 12: Key Component #10 - Team and Community Interaction

The development and maintenance of ongoing commitments, communication, coordination, and cooperation among THWC team members, service providers and payers, the community, and relevant organizations, including the use of formal written procedures and agreements are critical for Tribal Wellness Court success.

The critical ingredient to successful THWCs is collaboration. As we discussed earlier in Key Component One, bringing people together, gathering, and building of the THWC is done through the judge's leadership. It is not always easy but working with the participants and watching them succeed is worth the effort. Once the team is brought together, it must be maintained, which is not always easy. Maintaining a coalition or team that includes different branches of government and community-based organizations, sometimes from different jurisdictions, is challenging. To strengthen and maintain this coalition, there must be "specific and focused education and training that support their understanding of the court's mission, its processes, and their specific duty in promoting successful participant healing to wellness journeys."²³⁹ The community and tribal members must also be educated about the THWC's purpose, place, and vision.²⁴⁰

Additionally, a successful THWC is also engaging in Nation-building while fostering their team efforts. The THWC's overall goals are "stable and effective government and the health and welfare of tribal member individuals, their families, and the tribal community."²⁴¹ A well-functioning interdisciplinary THWC team contributes to this by creating a more flexible, stronger, and effective government. Every person living in recovery because of the THWC's hard work is part of the success because now the participants and graduates, and their families, are able to contribute to the community in many ways. But this success does not happen spontaneously.

The bedrock foundation of this success is the leadership of the judge that works to develop and implement written agreements between agencies and jurisdictions that foster and protect this teamwork. These agreements take the form of intergovernmental agreements between Tribes and States or counties for joint projects or shared services; interagency agreements; THWC policies and procedures; and third-party service-provider contracts.²⁴² The development and execution of MOUs between partner agencies is a best practice. The agreements should describe team members commitment to the THWC and how they will support and participate as well as specify what information will be

²³⁹ See note 1, Flies-Away, Garrow, and Sekaquaptewa, *Tribal Healing to Wellness Courts: The Key Components*, 74.

²⁴⁰ *Ibid.*

²⁴¹ *Ibid.*, 75.

²⁴² *Ibid.*

shared among team members.²⁴³ As leaders of the team, judges must ensure they follow those agreements and educate team members about HIPAA and other confidentiality laws. The judge leads the way in following the laws requiring consent but also teaches the team that these laws do not prohibit the correct sharing of information once consent is obtained. The communication between team members is one of the most important factors for success.²⁴⁴ “Ongoing communication among staff ensures participants receive consistent messages, reduces unwarranted burdens on participants, and prevents participants from falling through the cracks or eluding responsibility for their actions by providing different information selectively to different team members.”²⁴⁵

Judges are often trained in the law and custom and tradition of their Nations. We are not always trained in methods of how to develop and maintain commitments, communication, coordination, and cooperation. Attorney judges may come from an adversarial background, where we are trained not to cooperate and coordinate but rather to win. As a result, we must set those trainings aside and learn and demonstrate to our teams and communities that to address addiction issues in our community, we have to work together. In our own silos, we will never help people to live in recovery. Our people dealing with addiction issues need us to learn to work together, hold information in confidence, and properly share the information as legally allowed to cooperate and coordinate.

Learning to Work Together

In the story “The Stone Coat and Frost,” people learn to work with stone giants. Sometimes when we must cooperate and coordinate with the team and community organizations, it is difficult to learn to work together. Sometimes it can be scary to work together. We may have had bad experiences in the past. It can be difficult to set aside the bad experiences we have had working with some people or departments. We need to focus on the end result and try to set aside our emotions and experiences. As you read the following story, think about organizations or people that are difficult and whether you might be able to engage with them.

²⁴³ National Association of Drug Court Professionals, *Adult Drug Court Best Practice Standards Volume II* (2018), 38.

²⁴⁴ *Ibid.*, 42.

²⁴⁵ *Ibid.*

*The Stone Coat and Frost—As Told by Perry Ground*²⁴⁶

This story happened a long time ago, back when the Great Turtle Island was new.

A group of Seneca men were out on a hunt. They were not having much luck as the game was scarce. One night, as they cooked up the meager scraps of food they had left, there was a rumbling in the forest all around them. The ground shook as thunderous footsteps approached their camp. The men scrambled for their weapons but it was too late...a Stone Giant came through the trees and entered their camp! The men cowered in fear but the Stone Giant spoke in a friendly voice, "I want to stay in your camp; I would like to learn more about human beings." The men were unsure what to do but did not think they could refuse. "If you let me stay, from now on you will have good luck with your hunting," said the Giant. Hearing this, the men agreed that the Stone Giant could stay. From that day on, the hunters had great luck and brought in many meat, skins, and furs. The Stone Giant stayed and listened to the stories the men would tell around the fire at night.

When the hunt was finished, the pile of meat and skins was more than the men could carry. "I will pack each man's load and make it easy for him to carry," said the Giant. He packed each bundle but with much more than any man could carry. But then he shook each bundle until it became very small; the men easily loaded the packs onto their backs. The Stone Giant told the men, "When you arrive home, throw the bundle on the ground and it will become as large as when I packed it." The men were astounded at their good fortune. "I hope you will come to this camp again next Winter," said the Giant, "so we may be together again." The men promised they would return.

The next Winter, the same hunters returned to the camp. But when they arrived they found a different, younger Stone Giant in their camp. "Where is our friend?" the hunters asked the young Giant. "My father sent me to bring one of you to our lodge," answered the young one. "The rest should stay here to hunt and you will have very good luck." The hunters talked amongst themselves and one of the men, who everyone called Frost, volunteered to go. "We don't want to make the Stone Giants angry," he said. "Maybe we will all live a bit longer if we do as our friend wishes." So, Frost went to the village of the Stone Giants.

²⁴⁶ Ground, Perry (Onondaga), 2020. "The Stone Coat and Frost." Facebook, November 21, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=842555483170783&id=172120836880921

When they arrived at the older Giant's lodge, he said "Frost, I sent for you because I want you to marry my daughter." Frost was unsure if he could live among the Stone Giants but his friend said, "Do not be afraid. I am Chief and will make my people understand they are not to harm you." Then a young Stone Giant woman walked forward with marriage bread. Frost accepted the proposal because the daughter was quite beautiful...at least for a Stone Giant! And the two of them were married.

Then the Chief took out something that looked like a bone, but from no animal Frost had ever seen, and he rubbed it over his son-in-law's hands, feet, and body. He instructed Frost to go hunting. As he walked through the forest, Frost felt himself growing stronger and stronger until he felt like he could carry any animal in the forest. He had great luck hunting and returned to his new bride with four deer, two moose, and a bear...all carried on his strong back! The new wife was very pleased with her husband and they lived happily for some time.

But there was another Giant in the village, everyone called him Stone Coat, who was unhappy with this match. He loved the Chief's daughter and had wanted to marry her. He was very jealous of Frost and one day decided to challenge him. Stone Coat went to Frost's lodge and said "You and I must have a race. If I outrun you, I will cut off your head and take your wife!" Frost did not like the sound of that. "What's in this race for me if I win?" he asked. Stone Coat replied, "If you win, you get to cut off my head. Plus, you can have all the furs and tools from my lodge." Frost knew that Stone Coat was a great hunter and had many furs and powerful, magic tools; getting these would make his wife very happy. So Frost agreed to have the race.

The next day, all the Stone Giants assembled to watch the race. The course was agreed on and the two runners locked hands and dashed away. When they reached a particular Hemlock tree, they were to let go and run on. But when they reached the tree, Stone Coat put his evil plan into action! Frost ran to one side of the tree and Stone Coat to the other...but Stone Coat didn't let go. He held on and kept running. Frost's arm bent the tree farther and farther until it almost touched the ground. Then, Stone Coat let go of Frost and the Hemlock tree snapped back upright, carrying Frost with it!! Like a catapult, the tree launched Frost into the air and he flew—screaming, waving his arms, tumbling end over end—all the way back to the starting line! "Now I will lose this race, and my wife, for sure," he lamented. But his father-in-law said, "You needn't worry; I will help you."

Then he took something out of his pouch and rubbed it over Frost's feet. The Seneca man jumped up and, like a rabbit, zipped through the forest. He quickly caught up to his foe and ran by so fast, that Stone Coat didn't see him.

Reaching the finish line first, Frost saw that everyone was watching to see if he would really harm Stone Coat. Frost knew this could cause trouble with Stone Coat's relatives. Instead, he hid under some thick bushes, waiting for Stone Coat to finish the race. When Stone Coat finally crossed the finish line, Frost jumped out behind him and loudly yelled, "HO, HO! I am the Winner!!" Stone Coat quickly spun his head around to see his enemy. But Frost knew Stone Giants cannot turn their heads because their necks are made of stone. There was a grinding and breaking sound and—POP!!—Stone Coat's head snapped right off!! "Now I am the winner and will take Stone Coat's furs and magic tools!" cried Frost. He carried them back to his lodge and lived happily with his wife until...well, that is another story. Da-neh-Ho!

Questions to Think About

1. Why were the men afraid to work with the Stone Giant?
2. Why did they agree to let the Stone Giant stay?
3. Have you experienced fear or reluctance to work together, how did you conquer it?
4. What did you learn from your experience?
5. What do you learn from this story about working with people or organizations that are very different from you and your role as a judge?
6. How did they learn to work together?
7. How do you react to difficult individuals, such as Stone Coat?
8. What can do or change so you can cooperate and coordinate with them?
9. What wise practices do you learn from your Nation's stories about cooperation and working together?
10. How can you apply these wise practices?

Honoring Agreements and Rules

As discussed previously, we should be entering into agreements with the agencies participating in THWC. These agreements often may contain specific rules about how we interact and how team members participate in THWC. They may also contain rules that the THWC and/or team members must follow to facilitate the coordination. In the following story, specific rules are given to the hunter as how he needs to care for his ghost wife. There are consequences for not following the rules. As you read the story, ponder about whether everyone knows the rules and how you make sure they are followed.

*The Hunter and The Ghost Wife—As Told by Perry Ground*²⁴⁷

This story happened a long time ago, back when the Great Turtle Island was new.

There once was a hunter who lived with his wife far away from any village of the Haudenosaunee. Because they were alone, the woman would go out on the hunt with her husband. But after a time, there was too much for her to do around their small longhouse. So she stayed close to the lodge when her husband went hunting. Alone, the man never had good luck and soon the couple had very little food to eat. The husband tried and tried to find game for his wife to cook but most days he returned empty-handed. As the food ran low, the wife took sick.

After a few days, she died and the Hunter was very sad. He buried his wife next to the longhouse and mourned for her. After a few days of loneliness, he made a large doll and dressed it in his wife's favorite and finest clothing. He set the doll near the fire and looking upon her, felt a bit better. The next day, the Hunter went out in search of food and when he returned home, saw that ashes from the fireplace had landed on the doll's face; he carefully brushed them away and straightened the clothes. Day after day, he continued to do this but he still missed his wife very much. The Hunter was now very busy as all the chores were now his alone to do. But he always took time to care for the doll. One day when he returned to the lodge, he found a fire going and a stack of wood nearby.

The next day, he found food cooking over a nicely built fire. The Hunter looked all around for the person who had done this work but could find no one...there was only the doll. The next day, the Hunter set off into the forest as usual but this time, he did not go very far. After a short time, he hurried back to his lodge. As he approached, he spied the legs of a woman hurrying around the corner of his house. He chased after her but by the time he reached that corner, she was going around the far side of the lodge. The Hunter turned back and quickly ducked through the deerskin hung over the door.

When he entered, he saw his wife sitting in the chair by the fire. And the doll was gone! The Wife spoke to her speechless husband, "The Creator felt sorry for you, being all alone. When you cared for the doll

²⁴⁷ Ground, Perry (Onondaga), 2019. "The Hunter and the Ghost Wife." Facebook, July 5, retrieved on October 9, 2023, <https://www.facebook.com/perry.ground/posts/10211122641501071>.

just as you would have cared for me, the Creator allowed me to return to you." The Hunter was overjoyed that his wife had come back to him. He rushed forward to embrace her. But before he could wrap his arms around her, the Wife said "You must not touch me! The Creator said I must become part of this world again and then go to see all of our People. If you touch me before then, I will surely die a second time." The Hunter agreed not to touch his Wife until the proper time, and they lived happily, for awhile. The Hunter always had good luck finding game now that his Wife had returned and she cared for their lodge as she had done before.

After a year had passed, the Hunter said "Wife, you have been back for a year now and I believe it is time to go and see our People. Then you will be completely part of this world again." The Wife agreed that the time had come to see their people. So they both prepared for the journey; the Hunter stringing meat and the Wife preparing bundles of skins and warm clothes. They set out toward their old village that was six days journey through the forest. On the fifth day, it began to snow very hard. The Hunter and his Wife made a small shelter and lighted a campfire. But the wind was bitter and the snow was piling up; it was very cold indeed. The Wife laid as close to the fire as she dared but was still shivering.

So, the Hunter laid next to her, hoping to help keep her warm. But when he reached out for her, the Wife yelled "Do not touch me! We have not seen our People yet!" The Hunter piled as many skins as they had on his wife to keep her warm but she continued to shiver. They fell asleep but the Hunter awoke in the middle of the night from the cold. The Wife was shivering and struggling to breathe in the frigid night air. The Hunter could not bear the thought of losing his wife again so he reached out to wrap her in his arms, to help keep her warm. He clasped her tightly and held her close. On the wind, the Hunter thought he heard a faint whisper, "Nooooo...," but fell back asleep.

In the morning, the Hunter awoke and realized that he was no longer holding onto his Wife. Instead, he was holding THE DOLL dressed in his wife's clothing. The Hunter was very sad and stumbled to the village to tell everyone what tragedy had befallen him. Many people didn't believe him so they went back to the camp. There they found the Doll; they also saw two sets of foot prints in the snow, leading up to the spot where the Doll lay. The people returned to their village but the Hunter stayed by the Doll, forever unhappy about the loss of his Ghost Wife. Da-neh-Ho!

Questions to Think About

1. What were the rules laid out by the Creator?
2. What led to the Hunter breaking the rules?
3. Have you or your team's concern for others ever led to breaking the rules? What was the result?
4. What do you learn about the importance of following rules, even if they are hard?
5. Are there difficult rules for your team to follow and how do you make sure you are following them?
6. Could the Hunter have done something different and what would that be?
7. Have you and your team had a similar difficult decision?
8. How did you and your team work together to make and implement that decision?
9. What was the impact on your team?
10. What wise practices do you learn from this story and stories from your Nation about the importance of following rules as you work together? How can you implement them?

The following story also addresses the importance of following rules. Sometimes when team members or participants break rules, we become upset. This happens in the story. Breaking rules has consequences, but also allowing our emotions to get the best of us has consequences. As you read the story, think about a time where someone broke the rules, and you became upset. What would you do differently now?

How Owl Got Big Eyes and Rabbit Long Legs—As Told by Perry Ground²⁴⁸

This story happened a long time ago, back when the Great Turtle Island was new.

Long ago, many animals looked different than they do today. The Creator thought that the animals should have the choice of how they wanted to look. So, He walked around Turtle Island changing the animals to however they wanted to look. This was a very exciting time (Imagine if you could choose how to look forever!) and everyone was thinking how they would like to be changed. One animal, Gwa'yo:' (Rabbit), knew just what she wanted: long legs so she could run fast. Back then, Rabbit had very short legs and was very slow...many animals tried to catch her for their dinner!

²⁴⁸ Ground, Perry (Onondaga), 2020. "How Owl Got Big Eyes and Rabbit Long Legs." Facebook, December 9, retrieved on October 9, 2023, <https://www.facebook.com/172120836880921/posts/pfbid0M6u8EmRSSGL5H5wvhVFoLmV6egLfYqyQ28AnB9Gg4nK1T5zVuvDYV3YEwHsW1weVI/?mibextid=cr9u03>.

Creator came upon the Rabbit and asked, "Mrs. Rabbit, how would you like to look?" Rabbit excitedly told Creator that she wanted long legs, like a deer. "That way I can stay away from Wolf and Coyote when they try to eat me for dinner!" she explained. Creator said he could make that change very easily. But another animal, O'o:wa:' (Owl), was sitting on a nearby tree branch and he also knew how he wanted to look. "Over here, over here!" he called out. "I want strong wings, so I can fly high like an Eagle. And I want a long neck so I can look around and see everything going on. And I want...." Creator turned to Owl and interrupted, "Owl, it is good that you know how you want to look. But you need to be patient. Rabbit is getting changed first." But Owl continued, "I also want a long beak and nice legs and the best...." Again, Creator interrupted, "O'o:wa:', you must have patience. I will change you when I am done with Gwa'yo:'." Owl was excited to hear that he would get changed next.

Then, Creator turned to the other animals who had gathered around and said, "All of you must close your eyes or turn your heads away. I am about to do very special magic...no one is allowed to look." All the animals listened to Creator and turned their faces away. All except for one! Owl pretended to look away, but he could hardly wait to be changed and wanted to see what was going to happen. He made a show of putting his wings over his eyes. But then Owl spread out his feathers so he could peek through and see what was happening!

Creator took hold of Rabbit by her short back legs AND by her short ears (remember, she looked different than today!). He gathered in his special powers and started pull on her legs. And like magic, those legs started to get longer and longer. BUT Creator was also pulling on Rabbit's ears...and they started to stretch out and get longer and longer! "I will need to tuck those in before I finish," said Creator. Up in the tree, Owl couldn't believe his eyes!! "Hoo-hoo-wah, hoo-hoo-wah!!" he hooted. Creator turned and saw that Owl was looking at his magic, which made him very angry!

Creator dropped Rabbit and rushed over to where Owl was sitting. "OWL, ARE YOU LOOKING AT ME!!" he yelled and stared right into Owl's face. Owl was very afraid and his eyes grew wide with fright! Because Creator had his magic gathered around him...Owl's eyes got stuck that way!! Then, Creator plucked Owl out of the tree and grabbed him by the head. He said, "As a punishment for what you've done, instead of a long neck...now you will have NO neck!" He pushed Owl's head right down onto his shoulders!! Then Creator said, "O'o:wa:', I am so angry with you, I want you to fly away. I don't want to see you

anymore!" Owl was very sad and flew away. He found a hollow tree and crawled inside. That is where he makes his nest right to this day; it is also why Owl usually comes out at night...he doesn't want anyone to see his big eyes and short neck.

Then Creator turned around to finish stretching out Rabbit. But she was gone!! Everyone was gone! When Creator had yelled so loud that everyone had become frightened and run away. Creator looked all around for Rabbit but she was hidden in her burrow and would not come out, even though she wasn't finished getting changed. Creator decided the animals would need to stay the way they were. He couldn't take the chance of anyone looking at his magic.

To this day, Rabbit has short front legs, long back legs, and hops all around. She also has long, floppy ears because she ran away before Creator could tuck them back in. And Owls have big eyes and short necks...and everyone in the forest learned to be patient and wait their turn! Da-neh-Ho!

Questions to Think About

1. What were the rules the Creator told the animals?
2. How do you make sure the team and the participants know the rules?
3. How does your team collaborate to work with a participant when they break the rules?
4. Have you or your team ever responded in anger? What were the consequences?
5. Did you ever make a team member or participant sad because they did not listen? How did you rectify this?
6. How do you teach and help participants and team members to be patient?
7. What wise practices do you learn from your Nation's stories about collaborating and the importance of following rules?
8. What wise practices do you learn from your Nation's stories about how you handle people who do not follow the rules?

Preventing and Addressing Conflict

When teams collaborate, you often have to address conflict. As a leader you work to prevent conflict and also address any conflict that's occurring. You may also need to do this with participants. The following story is lengthy, but it teaches us about how to work together and also how to try to address conflict. As you read this story, does it remind you of any conflict you have had between team members or participants? Is there something in the story that can help you with this conflict?

*Creation Story—As Told by Perry Ground*²⁴⁹

This story happened a long, long time ago.

Long ago, the world was covered with water. There was no land but there were birds and animals that lived in the water. Above these creatures there was a blue dome that covered the entire sky. The birds and animals did not know it back then, but above the dome there was another world, the Sky World. In the Sky World, there were people who lived like the Haudenosaunee did long ago; they hunted animals for food and hides, they grew crops, they lived in longhouses, they played lacrosse. And in the center of that Sky World, there was a tree that grew that perpetually blossomed with fruit and flowers. This tree, called the Tree of Life, was protected and cared for by one man, Holder of Heavens. One day, Holder of Heavens called all the Sky People to a council under the branches of the great tree. "I have had a vision that we must make a new place where other people can grow and thrive. In my vision, I saw a world under this great tree that needs our help," he told the assembled People. They agreed with his vision and began to dig at the roots of the great tree; soon the tree was uprooted and a huge hole remained in its place. Holder of Heavens looked down and could see the world of water that was below. He called Mature Flower, his wife who was with child, to his side and asked her to look down. "In my vision, you carried new life to this world so now you must go," Holder of Heavens instructed her. He then wrapped Mature Flower in a bundle of light and lowered her down into the hole.

She began to fall toward the water, wrapped in her blanket of light. Far below, some of the birds happened to look up and saw something coming down through the sky toward them. They were at first afraid but then realized that it was a woman coming down through the sky. The birds knew that the woman would need a place to live in their world as she could not float on top of the water. So a council was called to determine what to do. A duck spoke up and informed everyone that at the bottom of the ocean there was mud and dirt and that it would make a good place for the woman to live. The duck then dove into the water to retrieve some of this mud. But after a time, his body floated to the surface of the water; the depth had been too great and he had perished in his effort. So Beaver tried to reach the bottom but again, his body floated lifeless to the surface. Other animals tried to reach the bottom of the water but all suffered the same fate. Finally, along came Muskrat who

²⁴⁹ Ground, Perry (Onondaga), 2020. "Creation Story." Facebook, January 29, retrieved on October 9, 2023, https://www.facebook.com/permalink.php?story_fbid=629774354448898&id=172120836880921.

volunteered to try to reach the mud. After he dove into the water, muskrat was gone a long time; the other animals worried that he too had died and that the woman from the sky would have no place to live. Just as they started to give up hope, a bubbling in the water started to rise. All the animals looked to this spot as the Muskrat floated to the surface of the water. He too had died in his attempt. But then the animals noticed that Muskrat clutched something in his paw; they opened his hand and found a bit of dirt and mud...Muskrat had reached the bottom of the ocean! The birds and animals were saddened by the sacrifice of the Muskrat but rejoiced that they had a place for the woman to live. But where to put this piece of land?

Just then, a large Turtle swam past the other animals. "Great Turtle!! Great Turtle!!" cried the birds. "May we put this land upon your back so that the Sky Woman has a place to live in our world?" Turtle replied, "Yes, you may place the land and the woman on my back." So the animals placed the patch of dirt and mud on the Turtle's shell while the geese flew into the air, spread out their wings, and caught the Sky Woman (what we now call her, as the animals did) on their backs. The geese brought the Sky Woman down safely and placed her on the new patch of land, on the back of the Great Turtle. As the Sky Woman walked around, shuffling her feet across the back of the Turtle, the new land began to grow. It grew very rapidly and soon formed a huge island where the woman could live. As she walked, Sky Woman opened her hands and spilled seeds that she had grasped in the Sky World across this new island. From these seeds grew the first food plants, including the strawberry and the sunflower. The animals helped care for Sky Woman as the time approached for her to give birth to her child.

Soon, Sky Woman gave birth to a baby girl. This young girl grew quickly and was very soon a young woman. The daughter, sometimes called Lynx, was very beautiful and many male spirits came to win her hand in marriage. But Sky Woman refused all the proposals. Sky Woman instructed her daughter to stay close to their lodge and to never walk to the lands in the west. But one day, Lynx did walk off toward the west, far from her lodge. She heard a strange music in her ear and then saw a man forming in front of her, as if from a cloud. Lynx felt dizzy and lay down in the grass to rest. When she came to, Lynx found two arrows—one sharp and one blunt—laid across her belly. She hurried home to tell her mother. Sky Woman knew that her daughter had been visited by the West Wind spirit and that soon Lynx would give birth to two children, twins. As the days went by, Lynx began to show that she was with child. But she also could hear voices coming from inside her belly. The voices were two boys, arguing about the best way to be born. One day, while

Sky Woman was away from the lodge, the time came for the boys to be delivered. The first twin arrived in the usual way, the way that children are intended to be born. But the second boy thought he could see light coming through his mother's side so he decided that was the path he would take.

Using a sharp ridge on the top of his head, the second twin cut through his mother's side. He emerged from under her arm which caused her death. The two boys continued to argue, just as they had in their mother's womb. Sky Woman returned to find her daughter dead and asked the two boys what had happened. The boy with the sharp ridge on his head who had killed his mother, and who had skin that was very hard, so was called Flint. He spoke up and accused his brother. This boy was very evil and is sometimes known as the Evil-Mind. Sky Woman was so angry at the other boy, who is called New Tree or the Good-Mind, that she grabbed him and threw him into the bushes where the animals cared for him. Sky Woman then set to burying her daughter's body in the earth.

From this grave grew four very important plants, each from a different part of Lynx's body. From her head grew Tobacco, from her heart came Corn, out of her abdomen arose the squash, and hands sent forth the beans; the food plants became known as Jöhéhgöh (literally, Our Life Sustainers), often called the Three Sisters.

The two boys, being Spirit Beings, grew very rapidly and soon were young men. But Sky Woman always favored Flint because of the lie he had told about his mother's death. Saddened by the unkind treatment from his Grandmother, New Tree roamed about the Turtle Island all alone. One day as he wandered, New Tree saw a vision of another male being. This vision was calling the Good Mind to the East so he set out on a journey to find this other being. It was a long, difficult journey with many ordeals of water, serpents, flames and rocks along the way.

But the Good Mind persevered and finally came to the top of a tall mountain. There he found the male being who had called him. The male spirit said that he was the father of the Twins and that he too was saddened by the unkind treatment of Sky Woman. So he taught the Good Mind how to create all manner of things: how to form plants for food and medicine, how to make animals, how to create mountains and rivers, and how to make people. But before the West Wind sent New Tree back to his grandmother, he warned him of his Evil Minded brother's bad intentions and jealousy. The father cautioned that Flint would make all sorts of trouble and try to undo what his brother created. The Good Mind returned to his grandmother and immediately started work on making all

good things. He made beautiful flowers, plants that could be used for medicine, rivers with current in both directions for easy travel, many species of birds and animals to live in the forest, trees that bore fruit and nuts, fish to fill the water, and many other wonderful things. But his father's warning had been true; when the Evil Mind saw what his brother was doing, he went behind him and tried to spoil all that had been made. Flint added thorns to the flowers, bitter taste to the medicine, threw rocks into the rivers to make rapids and falls, added small bones to the fish to make them difficult to eat, and caused other mischief. Flint also tried to make creations of his own but they came out misshapen and evil - terrible serpents, poisonous scorpions and lizards, and other evil monsters that devour and destroy.

Then the Good Mind took clay and, based on his own reflection from a nearby pond, formed the first people. He breathed life into them through their noses and began to teach them all manner of good things. New Tree taught the new Onkwehón:we (Mohawk spelling; literally, Real/Original Peoples) all the things they would need to survive on the Turtle Island: how to hunt, how to grow crops, where to find the medicine plants, how to be kind, how to live in peace, and more. The People multiplied and lived in harmony with the world around them. But all the while, Flint was watching what his brother was doing. So he too tried to create people but they turned out misshapen and monstrous; even the Evil Mind banished them away to a different part of Turtle Island. So Flint began to work his evil deeds among the Onkwehón:we that New Tree had created. While his brother was away working on his creations, the Evil One went among the people. He taught them every wickedness and immoral and barbarous thing that he could. The Onkwehón:we learned how to be jealous, how to steal, how to gossip, how to make mischief...how to fight. The most evil learned dark magics and other profound vileness. When the Good Mind returned to the Onkwehón:we, he found their villages unhappy and in disarray. He set to work to remind the Onkwehón:we how to think with the good mind and live in harmony but even when order had been restored, the discontent remained inside the human beings. (To this day, Onkwehón:we must decide which voice to listen to, the Good Mind or the Evil Mind, as both teachings are still inside of us.) While his brother was busy with the Onkwehón:we, Flint had more mischief planned for Turtle Island.

He began to capture all the animals and birds of the forest and secreted them away in a large cave. While New Tree was reminding the Onkwehón:we of his teaching, Flint was able to hide away all the creatures of the forest, leaving none for the new people to use. When New Tree was finished instructing the people on using the good mind, he

went looking for his creations, only to find the forest empty. He knew this was the evil work of his brother. New Tree decided to follow and hide from his brother to see if Flint would go to where all the animals had been taken. But as hard as he tried to conceal himself, New Tree was always discovered by Flint. One day, while hiding in the forest near the cave where the animals lay hidden, New Tree saw Flint making his way through the forest. But he was scouting all about, looking for his brother. New Tree noticed that Flint never looked up during his search, but rather only at the ground. So quickly, New Tree climbed to a very lofty perch and watched as Flint scoured behind every bush and tree, hoping to catch his brother in the act of spying. But when he still failed to look up, Flint lead New Tree right to the cave and the hidden animals. The Good Mind waited until his brother went away again and then descended from his hiding spot. Quickly, he freed all the animals from the cave and then hurried home away from his brother. A short time later, Flint returned to the cave and found that his evil work had been undone...all the animals were set free. Beyond angry, he hurried back to the lodge he shared with his grandmother, Sky Woman.

But the Evil Mind could not contain his wrath so challenged his brother to a contest to see who would have domain over the Turtle Island. The Good Mind did not want to fight his brother so proposed other challenges. They raced, they swam, they played lacrosse, and many other challenges...but neither could defeat the other. So it would come down to combat between the two brothers. As they prepared for this fight, the Evil Mind proposed weapons for each to use. But the Good Mind was prepared for his brother and knew he could trick him, as he had been warned by his father. The Good Mind said that any weapon would be fine...except for the cattail which would surely end his life. Flint laughed when he thought something so soft would defeat his brother; in his hubris, Flint said that it was only the antler of the deer that could pierce his hard, stone-like skin. So each went off to make his preparations and on the appointed day, meet to begin their battle.

With a rush, the Evil Mind attacked his brother, wildly swinging the cattail he thought would be the death of the Good Mind. But the blows bounced harmlessly off New Tree, who was armed with a deer antler. He struck at Flint over and over, who suffered with each blow. The battle was terrible as the brothers wrestled around the whole of Turtle Island. Trees were ripped up by the roots, mountains were crushed flat, great crevasses were opened in the ground, and the earth shook with the power of the ferocious tumult. After days of continuous struggle, the Good Mind was finally able to gain the upper hand and crushed the Evil Mind into the earth, continuing to strike him with the deer antler. But he

could not kill his own brother so instead, cast him into a pit under the ground where he is banished forever. Now having domain over the world, the Good Mind forbid his brother from ever returning. But the Evil One reminded his brother that his own creations would continue to be his servants and they would continue his destructive work, especially among the Onkwehón:we. The Good Mind returned to the Turtle Island and repaired the land as best he could. Then he reminded the Onkwehón:we of all his teachings, saying that he would leave the Turtle Island to the people. Then, the Good Mind returned to the Sky World and still watches over us to this day. Da-neh-Ho!

Questions to Think About

1. Why is it that Sky World and the animals worked together to create Turtle Island, without even seeing or communicating with each other?
2. How do the animals manage to cooperate and what are they willing to sacrifice to help Sky Woman?
3. What do team members sacrifice to work together to help participants? How do you acknowledge this?
4. How can you apply these wise practices to your THWC?
5. The twin brothers are in constant conflict. What happens to others when there is conflict?
6. As a judicial leader, what can you do when your team members are in conflict?
7. What can you do to prevent conflict?
8. What wise practices do you learn from this story that will help you address conflict and how can you implement them?
9. What wise practices do you learn from your Nation's stories?

The Impact of Pride

Pride can impact how people collaborate. It can dictate how team members and participants respond to you. It can also dictate how you respond to team members and participants. Sometimes we do not realize our actions are demonstrating that we are prideful. We all need to work on humility. Humility helps us work together better because it demonstrates that we are willing to learn from others and that we do not always have the right answer. As we listen and cooperate and use respectful language, we are demonstrating humility. The story people teaches what happens when a person is prideful and how it impacts not just one person, but a group of people and animals. As you read the following story, think about how you might address prideful actions on your part, the team, or participants.

*The Woman Who Married a Frog*²⁵⁰

There once was a young woman who was very proud. She was the daughter of the town chief and her family was very respected. Many of the young men wanted to marry her, but she thought none of them were good enough for her. One day, she was walking with her sister beside the big lake near their village. There were many frogs in that lake. A large number of them were sitting on a mud bank in the middle of the lake and she began to make fun of them.

“How ugly these frogs are,” she said. Then she bent over and picked one up which was sitting on the muddy shore and looking up at her. “You are so ugly,” she said to the frog. “Even another frog would not want to marry you!” Then she threw the frog back into the lake.

That night, when she stepped outside of her lodge to walk while the others were sleeping, she was surprised to see a young man standing there. His clothing was decorated with green beads and he seemed very handsome. “I have come to marry you,” the young man said. “Come with me to my father’s house.” The young woman agreed. She thought she had never seen such a handsome man before and she wanted to be his wife.

“We must climb the hill to go to my father’s house,” the young man said and he pointed toward the lake. They began to walk down toward the water, but it seemed to the young woman they were climbing a hill. When they reached the water they did not stop, but they went under.

The next day, her family noticed that she was missing. They searched for her everywhere and when they found her tracks leading to the water, they decided she had drowned. They beat the drums for a death feast. People cut their hair and blacked their faces and mourned.

One day, though, a man walked down by the lake. When he looked out toward its middle he saw on the mud bank many frogs sitting there. There, in the midst of the frogs, was the chief’s missing daughter. He began to wade in toward them, but they leaped into the water, taking the young woman with them. The man went as quickly as he could to the chief’s house. “I have seen your daughter,” he said. “She has been taken by the frogs. I tried to reach her, but the Frog People took her with them under the water.”

²⁵⁰ Bruchac, *Native American Animal Stories*, 53–56.

The young woman's father and mother went down to the lake. There they saw their daughter sitting on the mud bank surrounded by the Frog People. As before, when they tried to reach her, the frogs dove in and carried her under the lake with them. Then the chief's other daughter spoke. "My sister insulted the frogs," she said, "that is why they have taken her."

The chief saw then what he must do. He made offerings to the Frog People, asking them to forgive his daughter. They placed dishes of food on the surface of the water. The dishes floated out and then sank. But the frogs would not give up the young woman. They placed robes of fine skins on the bank. The young woman and the Frog People came to the bank and took those robes, but when the chief came close, the Frog People drew her back into the lake. The frogs would not give her up. At last, the chief made a plan. He gathered together all the people in the village. "We will dig a trench," he said. "We will drain away the water of the lake and rescue my daughter." The people worked for a long time and the water began to drain away. The Frog People tried to fill the trench with mud, but they could not stop the water from flowing out.

The frogs tried to drive the people away, but the people only picked the frogs up and dropped them back into the water. They were careful to not hurt any of the frogs, but they did not stop digging the trench. The water continued to flow out and the homes of the Frog People were being destroyed. At last, the chief of the frogs decided. It was his son who had married the young woman. "We are not strong enough to fight these humans," he said. "We must give my new daughter back to her people." So, they brought the young woman to the trench. Her father and mother saw her and they pulled her out. She was covered with mud and smelled like a frog. One frog leaped out of the water after her. It was the frog who had been her husband. But the people carefully picked him up and dropped him back into the lake.

They took the young woman home. For a long time, she could only speak as a frog does, "Huh, Huh, Huh!" Finally, she learned to speak like a human again. "The frogs know our language," she told the people. "We must not talk badly about them." From that day on, her people showed great respect to the frogs. They learned the songs that the woman brought from the Frog People and they used the frog as an emblem. They had learned a great lesson. They never forgot what happened to that young woman who was too proud. To this day, some people in that village still say when they hear the frogs singing in the lake, the frogs are telling their children this story too.

Questions to Think About

1. Why did the young woman feel it was okay to make fun of the frogs?
2. How did the Chief try to make amends?
3. How do you try to make amends when you have been prideful? Was it successful?
4. What wise practices do you learn from this story and how would you try them out?
5. What wise practices do you learn from your Nation's stories about pride and how it impacts collaboration?

Concluding Questions

1. What wise practices about team and community interaction and leadership have you learned from these stories?
2. What wise practices do you want to share with your team?
3. What wise practices do you learn from Indigenous stories in your community about team and community interaction?
4. How can you share them with your team and participants?

Chapter 13: Leading with Gratitude

Gratitude, or giving thanks, is a part of many Indigenous cultures. For the Mohawk Nation, and other Nations of the Haudenosaunee Confederacy, the concept of gratitude is found in many of our ceremonies, customs, and traditions. We begin all our meetings which what is often referred to in English as the Thanksgiving Address. It is also referred to the Words That Come Before All Else. It's an opportunity to give thanks to all things around us and focus our minds in a good way so we may address the work before us.

As we work with our THWC teams and participants, it can be stressful and difficult. We must remind ourselves to lead our team and participants with gratitude. It is easy to be angry and frustrated dealing with the effects of high rates of substance use disorder in our communities. It is easy to be angry with the colonialist policies that have ravaged our communities and left us with historical trauma. But the reverse is also true, Indigenous peoples are powerful, resilient communities. We have and will continue to survive, despite all the attempts to tear our Nations and peoples apart. We learn much from our stories about the importance of gratitude and how this can help us as leaders.

In the following story, we learn how gratitude can save a person's life. It also demonstrates the importance of respect and how it is linked to gratitude. When we are respectful to others, we demonstrate that we are thankful for their presence in our lives. Expressing gratitude, demonstrates our respect. Respect also often results in others expressing their gratitude for us. As you read this story, ponder about the link between respect and gratitude. Are they the same? Is respect a type of gratitude? Also, think about what happens when you demonstrate respect and gratitude toward others.

The Grateful Animals Rescue a Hunter—As Told by Perry Ground²⁵¹

This story happened a long time ago, back when the Great Turtle Island was new.

There was a Haudenosaunee Hunter who was very successful on all his hunts. He shared with the elders in his village and cared for his loyal dog exceptionally well. He was stealthy, quick and had near perfect aim with his bow. But the reason this Hunter was so successful was that he remembered to always show respect to the animals that he hunted. Each season, after his first kill, the Hunter would dress his game and then call

²⁵¹ Ground, Perry (Onondaga), 2019. "The Grateful Animals Rescue a Hunter." Facebook, February 26, retrieved on October 9, 2023, <https://www.facebook.com/1807781577/posts/pfbid02kPAyCZhsCqdVskjYxykpsgeUD48FozDyGxKKAjUdbLmdkBNwwdmhx6LCGwszLykCl/?mibextid=cr9u03>.

out loudly: "All of the meat eaters of the forest, this is for you!" and then leave this feast for those animals. He offered his tobacco and prayers after each hunt and never took more game than he needed, even as he shared with his loyal companion. But one day, as the Hunter was skinning a deer he had brought down, a war party of Oyáda'gé:a' (literally, "cave dwellers" but more commonly known as Cherokee) found him and took him by surprise.

The Hunter tried to defend himself, and gave a good fight, but the Oyáda'gé:a' overwhelmed him. The Hunter was scalped and left for dead. He lay there for a long time...until Wolf happened upon him and recognized the man as the great friend to the animals. Wolf sent up a cry of distress; all the birds and animals of the forest, knowing that something terrible had occurred to make Wolf cry out, came straight away to that spot. They all were sad to see their friend laid out in such a horrible manner. Bear came forward and laid his hand upon the Hunter's chest...where he found a warm spot and a faint beat of the heart! "Our friend is not dead!" he exclaimed. A council was held immediately and it was decided that they would attempt to heal their friend.

Bear was put in charge of caring for the Hunter. "Next we need to recover his scalp from the Oyáda'gé:a' (reminder: this literally means Cave Dwellers but refers to the Cherokee) and return it to our friend's head," said the Bear. Many animals volunteered—the Wolf, Panther, Raven, and others—but it was decided that Crow was best suited for the task. So Crow flew off after the Oyáda'gé:a' as quickly as he could. "Next we need to make medicine for our friend," said the Bear. Keeping his paw on the Hunter's chest to ensure that warm spot continued, Bear instructed each animal and bird to give a small piece of their own flesh to be mixed together. So each one had a small piece cut from their chest, where the meat is white and the purest. The wounds were sewn up and soon healed. Then, Bear instructed everyone to sing a powerful medicine song as he prepared the medicine to be used.

Then, Wolf was asked to come forward and to clean the wound on Good Hunter's head. Wolf licked at the wound until it was clean. "Now we must wait for Crow to return," said Bear as he kept his paw over the warm spot on Good Hunter's chest. Soon enough, Crow returned and told what had happened. "The Oyáda'gé:a' made camp for the night but were watching everything, knowing the Onödowá'ga:' (literally, Great Hill People but refers to the Seneca; this is a story from the Seneca primarily) would be coming to avenge their brother. The scalp was hanging near the fire and the warriors were all around it. I gathered a large flock of my people and we circled high above the camp, darting about and distracting

the Oyáda'gé:a'. When I saw my chance, I folded my wings and dove through the smoke, snatching the scalp before anyone noticed. When I returned to my people, we all flew away as if nothing had happened. Now, I have brought it to return it to Good Hunter." Everyone praised the Crow for his bravery and smart thinking. Bear said, "You have done very well. Now, let us work together to raise up our friend."

Bear took the scalp and called Wolf forward again. Wolf cleaned the scalp and prepared it to be replaced upon the Good Hunter's head. Bear applied some of the medicine, prepared from the flesh and blood of all the animals gathered, to the scalp and Hunter's head. After the scalp had been replaced, Bear gave some of the medicine to Good Hunter. Panther held his head so the medicine could trickle down his throat. "Now we must sing certain songs that will heal our friend," said Bear. "But do not move your feet or step while we sing." So all the animals sang the medicine songs. After awhile, they took a break and gave Good Hunter more medicine. Then they sang more healing songs. This continued on through the night. All the while that this was happening, there was a spirit nearby that was listening intently.

At first, no one noticed this spirit but as it moved closer to the Hunter's body, Panther could sense his presence. Panther knew it was the spirit of Good Hunter, trying to return to his own body. Panther had a special relationship with Good Hunter because they had taught each other many things. Panther said, "We are going to bring you back to life so you may go about the Turtle Island once again. Just as you taught me about taking Rabbit for food at the right time, we will teach you about this special medicine." The Spirit was surprised that Panther spoke to him but when he looked upon the man lying on the ground, he saw that it was his own body that lay there! Good Hunter had not realized that this medicine was for him, even though he had watched and listened through the night. Bear said, "We will give the last dose of the medicine and sing once again. Spirit, sadaohdi:yos (literally, 'make a good ear' but means 'listen well' in Seneca language) to these songs for you will carry this medicine back to your people." Bear gave the final dose of medicine and everyone gathered around Good Hunter's body to sing.

As the Spirit listened, he felt himself being pulled toward the body on the ground. Then, Good Hunter's spirit was returned to his body and he began to feel alive again. He listened to all the songs and felt more revived with each one. Good Hunter could move his arms, then his legs and finally he could sit up once again. When the songs ended, Good Hunter stood among the animals and felt more alive than ever before. "This medicine is a gift for your people," said Bear. "Did you listen to and

remember the songs that go with this medicine ceremony?" Good Hunter, who could understand what Bear was saying, told them all that he did remember the songs. Then Bear gave some instructions on how to care for the medicine bundles, how to refresh them, and how to make more. Then he said, "Go now and instruct your people on this medicine and continue to respect all the creatures of the forest." Good Hunter laid down some tobacco as an offering of thanks and returned to his village. He told everyone what had happened against the Oyáda'gé:a' and how the animals revived him. "Sadaohdi:yos now, for I will tell you about this medicine," said Good Hunter. The people listened and gave thanks; certain men were given the task of keeping the medicine bundles and the ceremony to use them. And the Haudenosaunee continue to use this medicine to this day. Da-neh-Ho!

Questions to Think About

1. How does the Hunter demonstrate his gratitude toward the animals?
2. What was the result of the Hunter's gratitude and respect?
3. Why did the Panther have a special relationship with the Good Hunter?
4. How do you foster that relationship with team members and participants?
5. How are respect and gratitude related?
6. His gratitude impacted his relationship with the animals, how does your gratitude impact your relationship with your team members and participants?
7. How might you help your participants be more like the Hunter and allow the Team to help a participant heal?
8. How can you help your participants "listen well" to team members?
9. How can you "listen well" to your team members? How is "listening well" related to or a part of gratitude?
10. What wise practices do you learn from this story and how can you practice them?
11. What wise practices do you learn from your Nation's stories about gratitude and respect?

Working against Jealousy

Jealousy chases away gratitude. When we focus on things we do not have and/or compare ourselves to others, we forget to be grateful. We focus on things that are not ours, rather than gifts we have been given. Many participants struggle with this because they have experienced so much trauma in their lives. They are unable to focus on any good things and focus on what others have that they do not. They may also blame others. We had a recent participant who always blamed everyone else for his problems. Also, whenever another participant received a reward, he would ask for it. He was always focused on what everyone else was doing, and not focused on working on himself. He was very difficult to work with and unfortunately was not successful with us. We hope someday he may come back and try again. Jealousy can also be a problem team

members (even judges!) struggle against. We all compare ourselves to others at times. We can use gratitude to battle against these feelings. Because if we let these jealous and envious feelings fester, it can lead to conflict. In the following story, the people constantly struggled with these problems. As you read the story, think about how you address these feelings in yourself, in your team, and with participants.

*Loo-wit, the Fire-Keeper (Nisqually)*²⁵²

When the world was young, the Creator gave everyone all that was needed to be happy. The weather was always pleasant. There was food for everyone and room for all the people. Despite this, though, two brothers began to quarrel over the land. Each wanted to control it. It reached the point where each brother gathered together a group of men to support his claim. Soon it appeared there would be war. The Creator saw this and was not pleased. He waited until the two brothers were asleep one night and then carried them to a new country. There a beautiful river flowed and tall mountains rose into the clouds. He woke them just as the sun rose and they looked out from the mountaintop to the land below. They saw what a good place it was. It made their hearts good.

“Now,” the Creator said, “this will be your land.” Then he gave each of the brothers a bow and a single arrow. “Shoot your arrow into the air,” the Creator said. “Where your arrow falls will be the land of you and your people, and you shall be a great chief there.” The brothers did as they were told. The older brother shot his arrow. It arched over the river and landed to the south in the valley of the Willamette River. There is where he and his people went, and they became the Multnomahs. The younger brother shot his arrow. It flew north of the great river. He and his people went there and became the Klickitats.

Then the Creator made a Great Stone Bridge across the river. “This bridge,” the Creator said, “is a sign of peace. You and your peoples can visit each other by crossing over this bridge. As long as you remain at peace, as long as your hearts are good, this bridge will stand.” For many seasons the two peoples remained at peace. They passed freely back and forth across the Great Sone Bridge. One day, though, the people to the north looked south toward the Willamette and said, “Their lands are better than ours.” One day, though, the people to the south looked north toward the Klickitat and said, “Their lands are more beautiful than ours.” Then, once again, the people began to quarrel.

²⁵² Caduto and Bruchac, *Native American Stories Told by Joseph Bruchac*, 21–25.

The Creator saw this and was not pleased. The people were becoming greedy again. Their hearts were becoming bad. The Creator darkened the skies and took fire away. Now the people grew cold. The rains of autumn began, and the people suffered greatly. "Give us back fire," they begged. "We wish to live again with each other in peace." Their prayers reached the Creator's heart. There was only one place on Earth where fire still remained. An old woman named Loo-Wit had stayed out of the quarreling and was not greedy. It was in her lodge only that fire still burned. So, the Creator went to Loo-Wit. "If you will share your fire with all the people," the Creator said, "I will give you whatever you wish. Tell me what you want." "I want to be young and beautiful," Loo-Wit said. "That is the way it will be," said the Creator. "Now take your fire to the Great Stone Bridge above the river. Let all the people come to you and get fire. You must keep the fire burning there to remind people that their hearts must stay good."

The next morning, the skies grew clear, and the people saw the sun rise for the first time in many days. The sun shone on the Great Stone Bridge and there the people saw a beautiful young woman as beautiful as the sunshine itself. Before her, there on the bridge, burned a fire. The people came to the fire and ended their quarrels. Loo-Wit gave each of them fire. Now their homes became warm, and peace was everywhere.

One day, though, the chief of the people to the north came to Loo-Wit's fire. He saw how beautiful she was and wanted her to be his wife. At the same time, the chief of the people to the south also saw Loo-Wit's beauty. He, too, wanted to marry her. Loo-Wit could not decide which of the two she liked better. Then the chiefs began to quarrel. Their peoples took up the quarrel and fighting began.

When the Creator saw the fighting, he became angry. He broke down the Great Stone Bridge. He took each of the two chiefs and changed them into mountains. The chief of the Klickitats became the mountain we now know as Mount Adams. The chief of the Multnomahs became the mountain we now know as Mount Hood. Even as mountains, they continued to quarrel, throwing flames and stones at each other. In some places, the stones they threw almost blocked the river between them. That is why the Columbia River is so narrow in the place called the Dalles today.

Loo-Wit was heartbroken over the pain caused by her beauty. She no longer wanted to be a beautiful young woman. She could no longer find peace as a human being. The Creator took pity on her and changed her into a mountain also, the most beautiful of mountains. She was

placed so that she stood between Mount Adams and Mount Hood, and she was allowed to keep the fire within herself which she had once shared on the Great Stone Bridge. Eventually, she became known as Mount St. Helens and she slept peacefully. Though she was asleep, Loo-Wit was still aware, the people said. The Creator had placed her between the two quarreling mountains to keep the peace, and it was intended that humans, too, should look at her beauty and remember to keep their hearts good, to share the land and treat it well. If we human beings do not treat the land with respect, the people said, Loo-Wit would wake up and let us know how unhappy she and the Creator have become again. So, they said long before the day in the 1980s when Mount St. Helens woke up again.

Questions to Think About

1. What was the cause of the brothers' quarrel?
2. How to you prevent hearts becoming hard or bad?
3. Does this even happen in your team or with your participants?
4. How does gratitude help deal with jealousy and envy? How could the people in the story incorporated gratitude into their daily lives?
5. How do you practice gratitude? How does your team practice gratitude? Your participants?
6. What wise practices do you learn about jealousy and envy from this story? How can you practice them?
7. What wise practices do you learn from your Nation's stories about dealing with jealousy and envy?

Hope and Gratitude

Hope is often a difficult concept to express or define. Essentially it means we believe things will get better or be alright in the end. Hope can be difficult to practice in our lives, especially during difficult times. Hope and gratitude are related. As we express gratitude in our lives, we feel more hopeful and better about life. In the following story, one brother feels hope, while the other does not. We have read this story before, but as with many stories, it teaches many different concepts. As you read through the story again, think about how hope and gratitude are related.

*Corn Comes to the Haudenosaunee—As Told by Perry
Ground*²⁵³

This story happened a long time ago, back when the Great Turtle Island was new.

It was a time of famine and the people were starving. There was no game in the forest, no fish in the streams, no berries or nuts to gather, and no crops sprang from the soil. It seemed there was nothing left on the Turtle Island to eat. Many people had starved to death so the remaining few gathered together on top of a tall hill. Their only food was boiled bark made into a thin, disgusting tasting soup.

Although everything looked bleak and the people feared each day, not knowing if it would bring death or only more gut-wrenching hunger, there was a certain young man who all the time said, "It will be better after awhile." No one believed him because their stomachs ached more each day. This man had a younger brother who was sick and tired of hearing his older brother saying, "It will be better after awhile." The younger brother started to tease and mock the older one; as the days went on the misery increased, the younger brother started to hurl sharp stones and vicious insults and hot ashes from the firepit at his brother to get him to stop saying it would be better. But the young man kept on saying it because he believed it with all his heart.

One day, the young man was foraging for food when he heard the sound of footsteps. It sounded like they were following the path and coming toward the village. But by sundown, no one had arrived in the village. Next day, the young man heard the footsteps again except they were coming closer. Day after day, the young man listened as the step came closer to their miserable village. After the span of a moon, the young man heard a change in the footsteps, now they were running full speed toward the village! He told everyone but no one believed him. The next day, the young man was sitting in front of his lodge, head bent down in hunger and sadness, when he heard the footsteps again, only now they sounded like they were approaching his lodge!! Suddenly, a dark shadow fell over the young man and he looked up to see a tall, striking woman standing before him. Her hair was like silk, her skin soft and smooth, long arms and legs, and a face more beautiful than any the young man had

²⁵³ Ground, Perry (Onondaga), 2020. "Corn Comes to the Haudenosaunee." Facebook, July 22, retrieved on October 9, 2023, <https://www.facebook.com/172120836880921/posts/pfbid0jwqVrmWKFgk8FqthM3SfgWDRBTdFQ6z4UJnLUYLf54mcsVhQjxyNSvBsPHogcmhl/?mibextid=cr9u03>.

ever seen before. When she smiled at him, the young man instantly fell in love with her. He stood up and the woman handed him a basket filled with bread. "My mother sent me to find a young man in this village," she said in a voice that sounded like the swaying of grass in the fields. "My mother wants me to marry him; this is my marriage bread." By now others had come out of the longhouse and from around the village to see the beautiful woman, including the young man's mother. "Where have you come from?" she asked. The beautiful woman answered, "I have come from far south of here; there is plenty of food there." The mother looked at her son and nodded. So, the young man ate some of the marriage bread and was married to the woman from the south.

Later that day, as she settled into her new home, the young wife said, "My mother sent me so that I may bring food to everyone. Uncover your baskets and wooden bowls and place them outside. Then everyone must enter the lodge and cover their faces." Word went around the village but some did not want to follow the instructions. It was very hot and they did not want their faces covered in the heat. And they didn't yet trust the new woman from the south. But the young man pleaded with everyone to listen to her and assured them that she promised food for everyone. Eventually, they all agreed and set out their baskets and bowls. When everyone was in their lodge with their face covered, the young wife went outside.

Soon, there was a sound like little pebbles falling into the baskets and bowls. It was a pleasing sound the people were no longer afraid. After a time, the sound diminished and the new wife reentered the lodge, saying "It is finished now." Everyone went outside and were astonished to see the baskets and bowls were now filled with shelled corn!! The people ate their fill of the delicious corn and all the people were satisfied.

All except the younger brother, the one who teased and tormented his older brother when he said things would be better. He took some of the corn and threw it into the fire!! "Ahgey!! I can't survive on this corn; I want some game and meat!!" he bellowed. The new wife, who had cooked the corn for him, was sad that her new brother-in-law acted this way. But she wanted him to be happy so asked her new husband to go to the nearby river to get fish for all the people. The young man promised to do what his new wife asked but his brother scolded and mocked him again. "Ahgey! You cannot get fish from that river, they have deserted us. You are foolish to even try!!" But the young man went anyway and, buoyed by the smile from his new wife and the power she seemed to have, began to pull fish from the river.

Soon, he had enough to feed the entire village!! When he returned to the longhouse with his catch, the people rejoiced...but the younger brother was very angry and skulked away. The next day, the husband went hunting as instructed by his wife. But while he was away, the younger brother began to torment the new wife. "Your food is disgusting!" he bellowed. "This pitiful corn will not sustain us and you married the worst hunter in the village; my brother will come back empty-handed." The young wife handed him a fresh bowl of corn mush. "Ahgey, this is no good!" he cried and cast the food into the fire once again.

Toward nightfall, the older brother returned to the village laden with game. Everyone was happy again...everyone except for his young wife. "Why are you so sad?" he asked. "We now have plenty to eat." The young wife sobbed and said, "Your brother has ruined everything. He torments me and rejects my food. Now everyone in this village is against me and casts my corn into the fire. So, I will leave here and return to my own home." The young man was very sad to hear this and begged his wife to stay. "I cannot stay," she replied, "for my mother told me that if I am abused in this place, I am to return home." The young man pleaded for his wife to stay a little longer and she agreed.

But that night, as the entire longhouse slept, the young man was awakened by a strange sound coming from outside the lodge. It sounded like someone was scraping something from a wooden bowl. He returned to sleep thinking of ways he could convince his new bride to stay in their village. In the morning, the young man was startled awake by cry of distress outside the longhouse. He sprang up, grabbed his war club, and dashed outside to see what trouble there was. He found that it was all the women of the village; when they had gone for their corn, they found the baskets and the bowls empty. The people were going to be hungry once again!! The young man rushed back into the longhouse to alert his wife but he found that she had vanished also! He was very sad but determined to find her.

As he packed up what little food remained and his bow and arrows, the younger brother came and tried to stop him from going. "She has left us and stolen all of our food!" he admonished. "She does not care about you or the people of this village, only about herself!" The older brother became very angry and shouted, "She was the one who brought food to all of us; without her help we would have starved! But you had to be jealous and drove her away!" Then he took up his things and set off to the south.

The young man traveled a great distance and struggled as his hunger grew each day. After weeks of searching, now weak and emaciated, he finally crested a tall hill and looked down upon a region of great corn fields. He knew this was the home of his wife! Hurrying into the fields, he looked everywhere for his young bride. Then, he saw a small rise covered with corn stalks and, sitting at the top of the rise, his wife and her mother. Rushing to her side, he professed his love for her and begged her to return home with him. The wife was surprised to see him and was moved by his devotion to her. The women gave the young man some fresh corn to eat and his strength returned.

"Husband, I cannot return with you," said the young wife. "Your brother turned your people against me and tormented me. This is what he did to me while you were away." Then she pulled back her skirt and revealed that her body was burned and scarred in several places. "This is what happened to me when your brother threw the corn into the fire," she said. "I am the Spirit of the Corn. If I had stayed among your people, your brother would have killed me." The young man was devastated that his wife had been harmed in such a way. But he begged her to return to the village saying, "Now that you are gone, there is nothing to eat for my people. I love you my wife, but I love my people also." The young wife was unhappy because she could not decide what to do. So, the young couple stayed in the South for many months while the Corn Maiden's body healed. The young man learned the ways of the Corn Spirits and promised that his people would forevermore give thanks for the corn and not waste it. When she was healed, the Corn Maiden agreed to return to the village of her husband.

The two traveled North and, upon entering the village, found all the people starving again. They rushed out of the longhouses and begged the young wife to provide them with food once again. She said that she would bring corn once again but admonished the people, especially the brother, that it could not be wasted or thrown away. The Corn Maiden told the people that the corn, and all food plants, were to be respected; if they were destroyed carelessly, it would cause the crops to be poor and the corn not to yield. The Brother stepped forward and spoke for everyone, "We have learned this valuable lesson and will always respect our food plants in the future. And Corn will be our most treasured gift." The Corn Maiden was pleased so told the people to open their baskets and bowls then go inside and cover their faces once again. This time, everyone listened and hurried to follow her instructions. Soon, the sound of shells falling into the baskets was heard as the corn fell like rain. When the people came outside again, the baskets were filled to the top and there was plenty for everyone!

But before the people could eat the Corn, the young man called out, "We must be thankful for the corn as well as respectful. Let us give our Thanksgivings to the corn and all the food plants that sustain us." So, the people developed ceremonies to give the proper thanks; these ceremonies are still carried on to this day. And still the Haudenosaunee are careful and respectful of all the plants so they are not wasted or destroyed needlessly. Da-neh-Ho!

Questions to Think About

1. How is hope related to or a part of gratitude?
2. How do you exhibit hope to your team and participants?
3. How do you respond when they, like the younger brother, respond with negativity and sometimes hurtful responses?
4. Why was the older brother the only one who heard the footsteps?
5. What did the people learn about gratitude and how did they show their gratitude to the young wife?
6. Why did they have to learn this by making the mistake of mistreating the young wife?
7. What wise practices do you learn from this story about gratitude and what will you do differently with your team and participants?
8. What wise practices do you learn from your Nation's stories about hope and gratitude?

Demonstrating Gratitude

The following story is one of my favorite stories. I have shared it in several trainings. It reminds me to not just have gratitude in my heart, but the importance of expressing gratitude. We have all experienced losing a loved one and wishing we had told them one more time how grateful we were for them. I feel this often as I think about my mother who recently died. Demonstrating or expressing gratitude not only brings joy to our lives, but it also helps us remember who we are and the gifts we have. I have some participants who are reticent to share in court about things they are learning as they live in recovery. Often I ask them to share what they are grateful for today. Sometimes they share they are grateful to be alive, which often brings emotions out. Sharing their gratitude helps them to open up more and reflect on changes in their lives.

In the following story, the people forget to be thankful about their ceremonies. This impacts their children and entire community, as you can lose things when you forget to demonstrate gratitude. As you read the story, are there ways you can better demonstrate your gratitude? It is not always by telling someone you are thankful for them. There are many ways you can demonstrate gratitude for people and your culture. Make a list of them as you read and think about ways you can practice the list.

*The Star Dancers*²⁵⁴

A long time ago the Iroquois peoples left their homes in the dry southwestern lands of Turtle Island to search for a place to plant their crops and raise their families. After many generations of wandering, they settled along the waters of what is now New York State. Their new homes were in a beautiful land marked by gently rolling hills, fertile valleys, and deep, clear lakes. They were pleased with the great forests of white pines and broad-leafed elms. The wood carvers and builders among them found that these trees made fine homes once they were cut and cleared of branches.

Before they began their work, however, the builders thought carefully about what type of dwelling would be best suited to the region. They came up with a building that was comfortable, easy to construct, and large enough to hold many families. It was to be called a “longhouse” and in time would symbolize all the Iroquois tribes. The People of the Longhouse became wealthy in their new land. They cleared large parts of the forest so they could plant their crops of corn, beans, and squash. Their luck was good as year followed year of bountiful harvests.

After some years they began to take their fortune for granted. They forgot the ancient ceremonies of thanksgiving the Creator had taught them. They became jealous of each other and began to quarrel and fight. Their villages split apart into opposing groups with some leaving their homes because they were afraid. The children suffered most from the hurtful ways of their parents. Instead of awakening in the morning and rushing out to play with their friends, the children were told not to speak with anyone who was not a part of the family, nor were they to stray far from the longhouse. If they disobeyed, the parents cut thin willow branches to whip them on their legs and backs. Many times, children were sent to bed without dinner.

In one village lived a group of seven young boys and girls. They had heard stories from their grandparents about the old days, when the People were happier because everyone shared stories, songs, and the fruits of their work. They listened carefully as the older people spoke about the ancient ceremonies when they used to sing, dance, and hold great feasts to honor Mother Earth. They were also told of a time when children were treated as blessings from the Creator and were never hurt by their parents. The group decided they would sneak away from their

²⁵⁴ Shenandoah-Tekalihawa:kha, Joanne, and Douglas M. George-Kanentiio, *Skywoman, Legends of the Iroquois* (Santa Fe: Clear Light Publishers 1998), 41–54.

longhouses and meet together in a secret place far into the woods. Each one of them would bring a bit of food to share with the others. During one of these gatherings, they decided to bring back the old ways and hold their own ceremonies. The children chose one of the boys among them to be guardian of the ceremonies. His name was Broken Ice; he would now be called a “faith keeper” and would have the task of speaking for the entire group. Because this was a serious responsibility, Broken Ice felt he needed someone to work with him. The group agreed and chose Bright Day, a young girl, to be the second faith keeper. Holding a thanksgiving ceremony is not a simple thing. The children would have to learn many songs and sacred dances, as well as preparing the right foods. They would also have to know the exact words of prayer so their efforts would be accepted by the Creator. The preparations took many weeks.

With each passing day the children had to be ever more cautious about leaving their homes. The youngest among them, a small boy named Gathering Wind, found it very hard to think up reasons for defying his parents. He would lie awake on his sleeping platform late into the night worrying about being caught as he tried to slip away. He loved his mother and father, who, unlike the other parents, showed their child much kindness and love. But he also felt his friends were doing something very important and was happy they trusted him with so wonderful a secret. Gathering Wind was very good at crawling into the storage sheds to get food for the group. He could be as still as a mouse until everyone was gone, then he would stuff as much as he could in his leather pouch before sneaking away.

Not all went as well as the children would have liked. A few times some of them were caught leaving the village and were whipped severely. The others would huddle together, listening with fear as their friends cried out in pain and sorrow. The parents of the children realized something strange was taking place. They punished the children harshly. Besides the whippings, they were not given food and were kept inside the longhouse and tied in their beds.

Gathering Wind found his way to where the punished children were. He brought them corn mush and maple sugar to eat and medicine for their wounds. He told them funny stories to raise their spirits. Life became harder for these children, but they vowed they would not stop meeting with their friends. One day, when all seven children managed to find their way to the secret place, Bright Day told them of a story she had heard from her grandmother about a special place beyond the sky. Bright Day said this land was full of wonderful things and magical people who loved all children. Skyworld, she had been told, was the original

homeland of the longhouse people. If the children could go there, they would be welcomed home by the ancestors of the first human beings. The children thought about this story over the next few days. They were almost ready to hold the great festival of thanksgiving, even though they had little to be grateful for. It was important, they thought, to believe there was something better than what they knew. If it was Skyworld, maybe that was where they should go.

It was the evening before the day of the ceremony, when the children had planned to gather in their secret place to sing and dance as had not been done in many years. It was a difficult night for all of them, for it seemed their parents sensed something strange was about to take place. The beatings of that night were harder than ever but not one of the children spoke a word. Finally, during the time just before dawn, the children crept from their homes. Each one was carrying a gift hidden to share with the others. They were as quiet as shadows. Not even the village dogs were awakened as they slipped by.

Being extra careful to disguise their tracks the children made their way to the secret place. Broken Ice was the first one there. He embraced each child as they entered the meeting grounds. When all were present he built a small fire in the clearing and took a handful of sacred tobacco from his pouch. One by one the children touched the tobacco. Broken Ice then began to place the tobacco into the fire as he spoke the Thanksgiving Prayer he had learned from his grandfather. His words came from deep inside him and seemed to rise with the smoke to the top of the trees and beyond. The children thought carefully about Broken Ice's prayer. They seemed to come to a mysterious understanding of what they must do to escape from their painful lives. When Broken Ice finished, Bright Day asked the children to gather in a circle. The dance was about to begin. The children joined hands and began to chant in unison. Their song was one of sadness for their families and of a great longing for the Skyworld and the love of their ancestors.

The parents had noticed their children were missing and had begun to search for them in the forest. They shouted for them to come home and threatened great punishments if the children did not come out from hiding. One of them noticed the smoke rising from the children's fire and called the others. Soon they would find the secret place. The children did not hear their parents coming. They were singing to the Creator with all their hearts, giving thanks for being alive and asking Holder of Heavens to bring them to Skyworld. They danced as they sang, their feet clothed in ragged leather. Slowly, they began to rise from the ground, but they did not notice for they were looking up toward their

original home. They sang and danced, rising ever higher, feeling the great joy of being the children of the sky. Their parents heard the children's chants and watched with amazement and alarm as the children danced above the trees, then higher still as with each song. The parents cried out, first in anger then despair as the children went further into the sky. They heard the words of the songs and suddenly understood the harm they had caused the children. Gathering Wind's parents felt more grief than the rest. They had truly cared for their son and had never struck him. His mother wept as she called for Gathering Wind to return home. He heard her calls as he ascended to the sky. Turning from the others he looked down to see his mother, tiny and far below kneeling on the ground, her arms raised to him.

Gathering Wind's dance faltered, and he broke the chant. As he stopped singing he began to fall even as the others continued to journey upward. He gathered speed as he fell, rushing through the air back to his mother until he became a streak of burning light. The dancers disappeared into the heavens leaving their families in sorrow. In their sadness they promised they would never again strike any child. Nor would they forget to be thankful to the Creator, a promise the People of the Longhouse renew whenever they see a falling star. The ancient ceremonies were brought back, as were the old songs and dances, which gave much joy to the People. On clear evenings they would gather outside the longhouses to watch the sky. There, to the northeast, they saw a small cluster of stars where the dancers had faded into the night.

Questions to Think About

1. What happened to their community when they forgot to be grateful?
2. How did their children know about the importance of giving thanks?
3. As you reflect on this story, what are some things you, your team, and participants could be grateful for?
4. How can you, your team, and your participants show this gratitude?
5. How might showing gratitude impact you, your team, and your participants?
6. What are some wise practices about demonstrating gratitude you learn from your Nation's stories?

The Challenge of Gratitude

Not everyone demonstrates gratitude, especially among our early participants. Sometimes it takes a while to understand the importance of gratitude. The challenge we undertake is to help those who are not demonstrating gratitude. Our teams work to help all our participants, but sometimes it's easier with participants who demonstrate gratitude. But we do refuse to help those who are not ready to express gratitude yet,

even when it makes helping harder. Sometimes we need to model demonstrating gratitude for them. We also need to acknowledge even their small successes. Every step is important. The following story reminds us about the importance of helping, even when a person is mean and refusing to show gratitude. Unfortunately, not everyone is ready for help, much like the snake in the story. As you read the story, think about how gratitude is important and how you are helping those who are not ready to be thankful for your help.

*The Two-Headed Snake*²⁵⁵

Once a village of Seneca people stood on a hill above the shores of Canandaigua Lake. Their town was a beautiful one with many lodges. A tall wooden blockade built around the whole town protected them from any enemies who might attack. But, unless there was trouble, the gate stood open to welcome any who came there.

One day, in the Moon When the People Give Thanks for the Green Corn, a boy named Hahjanoh was out hunting for squirrels with his bow and arrows. He thought he heard something near his feet and looking down he saw a very wonderful thing. It was a snake with two heads. One of the heads was blue and the other was red, while its body was pale as snow. It lay there so limply that the boy knew it was not well. "Enh?" said Hahjanoh, "Little one, are you hungry?" The snake lifted one of its heads weakly as if in answer to his question, Hahjanoh searched until he found some beetle grubs in a rotting log. As he fed them to the snake, its four eyes grew brighter and it coiled around his wrist. It was the most beautiful creature Hahjanoh had ever seen. "Well, little one," Hahjanoh said, "there can be no harm in taking you home with me." And so he did.

Everyone thought the snake with two heads was a beautiful thing. They stroked it and praised Hahjanoh for his kindness in caring for a staring creature. All through the long season of snows he kept the snake in his home and fed it every day, pleased at the way it grew under his care. Soon it was large enough to eat, first small birds and then squirrels. Before too many seasons had come and gone Hahjanoh found himself hunting all the time for the snake that now ate anything he could find. But the boy did not mind. He thought of it as his friend and was pleased at how it had grown. Now the two-headed snake was so large that when it reared up its heads it was taller than a man. People came to see it while Hahjanoh was out hunting, marveling at its beauty. One day, though, two children came to look at the snake. As it lifted its heads and stared into their eyes, a strange thing happened. They began to walk closer and

²⁵⁵ Bruchac, *Iroquois Stories, Heroes and Heroines Monsters and Magic*, 97–102.

closer to the snake as it swayed back and forth. Then the bigger of the two boys pushed the other one in front of him. He stood watching as the great snake wrapped itself around the smaller boy and then swallowed him whole. When Hahjanoh returned that evening, bearing the carcass of a small deer to share with his friend, he found the snake gone. A trail of crushed grass led into the woods as if it had crawled away, but the two-headed snake was not to be seen. "My friend," Hahjanoh called, "come and eat," but the snake did not come.

As the days went on, the two-headed snake did not return. Things began to be very strange in the village. Each day, children were missing. Some thought they had been kidnapped by enemies, yet there had been no sign of a war party. Other children in the village were acting strangely also. Their eyes were cast down, and they seemed as if asleep when they walked about. One night Hahjanoh had a dream. In the dreams his spirit protector, a great water bird, flew down. "Beware the eyes of the false friends," said the spirit protector. Then it was gone.

The next morning Hahjanoh woke before dawn. He went out of the village and hid behind a large stone. Soon he saw a strange sight. From the village came the children who had been acting strangely. With them were other children whom they led by hand. They passed the rock where Hahjanoh was hiding and went into the woods. Keeping far enough behind so he would not be seen, Hahjanoh followed. Before too long they came to a place where there was a crevice between the rocks. Down into the crevice went the children. Hahjanoh followed. There, at the bottom of the crevice was his friend, the beautiful two-headed snake. Now it was so large that its body was bigger around than a tall pine tree. The two heads lifted above the children who came closer to it. The blue head and the red head swayed together in a hypnotic rhythm and the children swayed with it. The eyes of the snake glowed with hunger and Hahjanoh, remembering the words of his spirit protector, looked away. When he looked back again he saw that the children who had been led toward the great snake were gone.

With tears in his eyes Hahjanoh ran back to the village. How could it be that one whom they fed and saved from starving could treat his people so? He had given the beautiful snake warmth and friendship. In return it was destroying his people. "Go-Weh!" he called as he entered the village, "Close the gates. The one we treated as a brother is now our enemy." When the children who had led the others to the two-headed one returned, they were seized by the warriors and taken to an old man who knew much of medicine and power. With a few words he cleared the mist from their eyes. They looked at the circles of faces around them like

sleepers waking from a strange dream. All they could remember was having walked into the forest. With the gates of the stockade firmly closed, the warriors waited. As food was no longer being brought to the monster, it would now have to forage on its own. And indeed, it was so.

Less than a day went by before the two-headed snake came out of the woods and crawled up the hill toward the walled town. It was so long that it coiled around the whole hill. When it lifted its two shining heads they reared as high above the walls as the flight of a swallow goes over the roofs of a longhouse. Arrows were shot. Spears were thrown. But they did not stop the great snake. The two heads lifted and fell, again and again. Many brave men were seized and eaten. Then, its hunger satisfied for a time, the snake slid back down to the base of the hill and lay there, encircling the village once more so that none of its pray might escape.

The hand of night closed over the village. Again, Hahjanoh dreamed. His spirit protector flew down to him and spoke. "String your bow," said the great water bird, "with hair from your youngest sister's head. Then wrap four strands about the shaft of an arrow. Cover the arrow's tip with special medicine. Do as I say, and you may destroy your enemy." When Hahjanoh woke he saw next to him four feathers from the tail of the great bird. From his youngest sister's head, he took strands of hair and did as his spirit protector said. He used the feathers of the bird for the end of his arrow. The tip he dipped in the special medicine.

It was not yet dawn and the gates of the village were barred from within. He opened them and went out, down the hill to the place where the great snake, pale as mist, pale as a ghost, encircled their village. It was not sleeping. Four eyes, glowing as if with fire, lifted to look down at him. "Do you know me?" Hahjanoh said. "I am the one who saved you from death, the one who fed you. I played with you and kept you warm through the long season of snows." But the snake's eyes were cold in the faint light before dawn. They stared down into the eyes of Hahjanoh. "Listen to me," Hahjanoh said. "How could you betray us? We treated you as a brother. Now you want to destroy us all."

The great snake's heads lifted higher and began to sway back and forth above Hahjanoh's head. Never had their colors seemed more beautiful to Hahjanoh, but he saw the hunger in its eyes. He could wait no longer. He drew his bow and aimed at the place where the two heads joined the body. "Wah-ah," Hahjanoh, "so it must be," and he released his arrow.

Straight as a gull diving for a fish, it sprang from his bow. Other arrows had bounced off the thick hide of the great snake as if they were made of twigs, but this arrow, charmed by the medicine and the hair of his youngest sister, pierced deep into the body of the monster, and cut the heartstring. Both heads jerked back in agony and the snake began to roll down the hill toward the lake. As it rolled, out of its mouth came the heads of the people it had eaten. Into the water they fell and turned into fish. At last, the great snake itself, with one last convulsion, fell into the deep waters of the lake and sank without a trace, never to be seen again. From that day there have been many fish in the lake of Canandaigua, children and grandchildren of those who were transformed. And to this day the Seneca people tell the story of the great snake, the one who learned too late that no matter how powerful you become, you must remember to treat with gratitude those who helped you when you were weak.

Questions to Think About

1. The story ends, reminding us about the importance of treating people with gratitude. Are there other lessons or wise practices you learn from the story?
2. Should we only help people that show gratitude? Why or why not?
3. How do you deal with team members or participants who do not feel or show any gratitude about being a part of THWC?
4. How do you help them learn to show gratitude?
5. What wise practices do you learn from this story about the challenge of gratitude?
6. What wise practices do you learn from your Nation's stories about whether you should help ungrateful people?

The Importance of Sharing Stories

I am very grateful for the lessons learned from our stories. Every time I listen or read our stories, ancient or modern, I am reminded about the power of Indigenous people. I hope that in addition to seeking out the stories of your Nations and people, that you'll listen and learn to the stories of your participants and team members. And although I cautioned earlier about talking too much during your interaction with your participants, you should share your story with your team members.

As we share our stories, we take control of our narrative and tell better stories than what is often told by outsiders. An Indigenous writer explained the reason behind her writing. "The purpose of my writing has always been to tell a better story than is being told about us. To give that to the people and to the next generations. The voices of the grandmothers and grandfathers compel me to speak of the worth of our people and the beauty all around us, to banish the profaning of ourselves, and to ease the pain. I

carry the language of the voice of the land and the valor of the people and I will not be silenced by a language of tyranny.”²⁵⁶ Daniel Justice, an Indigenous scholar, advocates that we tell our own stories because the story often told about us by others is harmful to us. We are familiar with this story, as we hear the story of addiction almost every day. But we also know there is much more to this story.

This story presumes that we're all broken by addiction, or dangerously promiscuous according to pleasure-hating, puritanical concepts of bodily propriety. It insists that we have a lack of responsibility, lack of self-control, lack of dignity; it claims that we can't take care of our children or families or selves because of constitutional absences in our character, biology, or intellect. And it goes even further. Rather than see lower life expectancy, employment, and education rates, and higher rates of homelessness, substance abuse, and suicide as being rooted in generations of sustained and intentional colonial assaults on all aspects of our lives and identities, we're blamed for our supposed lack of basic human decency.... In this poisonous story, every stumble is seen as evidence of innate deficiency, while any success is read as proof of Indigenous diminishment. In a particularly cruel twist, even our strengths are presented as evidence of our inadequacy.²⁵⁷

When we seize control of the narrative and tell our own stories, we push the narrative of deficiency out of the way and fill the narrative with truth. The truth in our stories nourishes us. It gives us hope. And it reminds us of who we are. Justice writes, “Perhaps the most wounding way in which this story of Indigenous deficiency works is in how it displaces our other stories, the stories of complexity, hope, and possibility. If the simplistic deficiency accounts are all we see, all we hear, and all that's expected of us, it's hard to find room for the more nourishing stories of significance.”²⁵⁸

Our participants are seizing control of their narrative and discovering their stories and sharing them with us. When we share our stories, we discover we are not alone. This is why we encourage our participants to share their stories in counseling and self-help meetings. Justice writes,

Moving across vast stretched of geography and years, and despite all the forces that work to keep us silent and broken, disconnected from the world, from ourselves, and from each other, our stories help to restore our relations and remind us of our connections, our commitments. They remind us that we matter. We matter for our own sake, and for those of our kin. We matter on our own terms, and for those who inherit what we are meant to pass on. We matter because stories abide in living cultures

²⁵⁶ Whiteduck, “But It’s Our Story,” 84, quoting Armstrong, *Native Poetry in Canada: A Contemporary Anthology*, 106.

²⁵⁷ See note 6, Justice, *Why Indigenous Literatures Matter*, 2–3.

²⁵⁸ *Ibid.*

and living peoples. We carry the hopes, dreams, fears, and fierce determination of those who came before, those who had faith enough to trust in us that we might carry that bundle forward, imperfect as we may be, and continue that act of faith into a future where we belong for as long as there is a world left to honor with story, song, prayer, and love.²⁵⁹

Justice has reminded me of the importance of sharing our own stories. I have particularly loved stories about gratitude, so I will share one of my own stories that reminded me to be grateful not just for the sunny moments in life but also the difficult times.

Raindrops and Rainbows

I grew up in a family of animal lovers. My grandfather, Maxwell Garrow, lived in the last house on a reservation dead-end road. He had a huge tom cat, Twinkle Toes—what is called a polydactyl cat, with six toes on each foot. When my grandfather died, we moved into his house and Twinkle Toes was part of the deal. When he wanted to come into the house, he would let us know. He jumped up on the door and peered into the window, hanging on with those extra toes. The door had gouges in it from his claws. He would also jump up on the outside windowsill and knock on the glass. Those extra toes were useful. That’s when my love of polydactyl cats began.

I adopted my own polydactyl, Samwise Gamgee, in 2007. The sweetest cat, he quickly became my best friend and everyone he met loved him. He was diagnosed with heart disease in 2016. But with the help of good vets, medication, wonderful babysitters who cared for him when I traveled, and some TLC, he powered through. Two years later, he began having other health issues. Despite having to take more medicine and dealing with a restricted diet, he was still a happy cat. Throughout the years, his vets confirmed he wasn’t fat, just a big guy at 16 pounds.

As the pandemic of 2020 began and then continued to keep us at home, I was happy to spend extra time with him and keep an eye on his health. On the morning of August 18, 2021, he collapsed in pain, and I rushed him to the animal ER. In our previous trips to the ER, I had been able to wait with him. Because of the pandemic, I had to drop him off and could not go in to be with him. This made a bad situation worse. I contacted his internist at the hospital, and they transferred his care to her. That night she called with devastating news—an inoperable tumor on his pancreas. It was questionable whether he would even make it home. Two days later, I still had not been able to see him. He wasn’t eating, so I insisted on taking him home. He had never been away from home without me for that long. Sure enough, once Sam was settled back into his surroundings, he began to eat. But I knew my best friend would not be with me much longer.

²⁵⁹ Ibid., 204.

As horrendous as the pandemic was, I had the silver lining of being able to work from home. I could be with Sam during his final days. Thereafter, when I got up in the morning, I could immediately tell what kind of day it was going to be. If Sam jumped up on the bed and draped himself across me, ready for the day, I knew it would most likely be a good one. If I had to search for him and bring him breakfast, with fingers crossed that he would eat, it would be a day of worry. Were we at the end?

Soon, the bad days became more common. One morning, I got up and there was no sign of Sam. As usual, I had asked my Amazon Alexa for the daily forecast. Her response was: “Carrie, it’s going to partly rain but that also means there is a chance to see a rainbow.” Odd. In the years I’ve asked her about the weather, she has never said anything about seeing rainbows. And she’s never offered me any weather-related advice since. Out in the kitchen, there was no sign of Sam. I went through my morning routine of feeding his brothers and then fixing his plate. His brothers were working on demolishing their breakfast, so I picked up his plate, ready to search for him. I turned around, plate in hand, and there was Sam, sitting up straight, waiting for his breakfast with his smirky little smile. “Sam!” I pointed at him. “You’re my rainbow!” Laughing, I set his plate down, petted him, and watched him eat, thinking about all the times he had been a rainbow. Too huge to be a lap cat, Sam insisted I hug him like a teddy bear. His 16-pound hugs—not fat, remember, just a big cat—laying on me first thing in the morning. Too heavy for me to lift, he loved having his babysitters carry him around the house. While recovering from my hip replacement, I was confined to home and using a walker. Sam quickly learned he could catch a ride on my tea cart, which I used to get my dinner. Soon we were doing laps around the house, so he could look out the front door.

It rained on the day that Sam died. I didn’t see any rainbows. But as I pulled out of the vet’s office, I remembered all the rainbows Sam had brought into my life. The stories he told me with his chatty meow sounds. How he ran up the basement stairs once and insisted I follow him down to the basement to show me the beetle he had caught. The time I came home in the middle of the day to discover that his brothers had shut him in the laundry pantry. His babysitters texting me, worried because he wouldn’t stop running up and down the stairs when they were trying to give him the medicine for his heart disease. Apparently, he was trying to convince them he didn’t need it. Holding his huge paw on the way to the doctor, so he wouldn’t cry. His passion for flowers and eating them, so I could never have flowers in my house. He even insisted on taking a bite of an exotic flower we received when his brother Twinkie died. Of course, later that night, he threw up.

As I drove home in a steady rain, I mentally prepared myself to bury Sam. Then I realized as difficult as it was, running through the rain drops of the hard times with his illnesses, I was still able to experience his rainbows. And I was grateful. Healing to Wellness Court has a lot of rainy days. Too many. Some days it sprinkles. Some days it pours.

Don’t forget to look for the rainbows.