

Good afternoon, my name is Ana Hoffman. I was born and raised in Bethel, left briefly to attend Stanford University and returned upon graduation. February this year I resigned from my position as Magistrate/Standing Master for the Alaska Court System, after two and a half years of service. I conducted a lot of my court hearings in Yup'ik, traveled out to villages to hold local hearings, utilized circle sentencing procedures in some juvenile delinquency cases and tried to involve defendants, victims and their families throughout the court process.

At a juvenile delinquency hearing I conducted in a Yukon River village, I had the minor, his mother, the younger siblings, his grandmother, his grandfather, his teacher, the VPSO, and of course the juvenile probation officer and the attorneys participate in what I call a modified circle sentencing. I started the hearing as any other hearing, introduce the case and parties then attorneys talk about the agreement conditions, and the court reviews the minor's rights and understanding. Next, instead of the minor and his family being quiet observers, I got them involved with the process. I brought an ivory *yarviq*, story telling knife, and asked everyone in the room to share how the minor's actions affected them and what their hopes are for this young man. His family, teacher and VPSO began to share their feelings, worries, hopes, disappointments and words of encouragement with this boy. The event was powerful. I don't think anyone involved will forget what was shared and what was learned, especially the minor who has done well since that time. In this case, I'd say the Alaska Court System was successful because it stepped out of the box and utilized traditional native practices and language in its proceedings.

In many cases the formal system isn't very effective for the offenders and victims because they are frequently left out of the process. The people that should be the most

involved with the hearings are often so nervous and intimidated by the court room environment that they don't even hear what is being discussed. They walk out of the courtroom not knowing what just happened. Therefore, I believe if you want the western court system to work you have to have people in judicial positions who are willing to utilize local traditions and languages to enhance communication and comprehension throughout the process. Additionally, people need options for processing criminal and civil cases including tribal courts.

One unified system works for very few. The more diversity we have in addressing these problems, the more successful we will be. If the court system is unable to travel out to village, if judges can't speak the local language, if the hearings are going to be conducted in the formal court room setting then we can not do away with tribal courts. Tribal courts employing local traditions and languages have great potential and should continue to be funded and utilized. As tribal courts continue to develop and expand, it will alleviate some of the burden of the state court system. The tribal courts may have more effective procedures and techniques in place that the state court system can utilize. As a magistrate I modified a lot of the formal proceedings by using the native language and traditional communication practices to help the system be more effective. The state court system by itself doesn't hold the answers. The court system can work with and learn from tribal systems ^{and vice versa} to improve rural justice.