

... CHIEF JUDGE ALLIE GREENLEAF MALDONADO & RET. JUDGE FRED MULHAUSER

‘Baby Steps’: How Two Northern Michigan Courts Built an Enduring Partnership That Sets up Children to Succeed

“Take it one step at a time.” This age-old advice rings true in many circumstances.

In particular, it could describe the longtime collaboration between the Little Traverse Bay Bands of Odawa Indians Tribal Court, headed by Chief Judge Allie Greenleaf Maldonado, and Emmet County Probate Court, which was run by Judge Frederick Mulhauser until his recent retirement.

When Michigan’s judiciary initially embraced the model of problem-solving courts, the mentality was that of a careful process of building strong and effective programs to provide nonviolent offenders an alternative to incarceration. Almost 20 years later, Michigan’s problem-solving courts have become national leaders and emblematic of the importance of collaboration and community effort.

Similarly, the emphasis on building—rather than jumping—to success, combined with a commitment to collaboration, applies to the partnership of these two courts. During their 20-year collaboration on juvenile drug court and court school initiatives,



Chief Judge Allie Greenleaf Maldonado

specifically, their small steps have turned into big leaps of progress.

Collaboration between Chief Judge Maldonado’s court and Judge Mulhauser’s court came out of community-based thinking, as well as understanding the unique aspects of both the Native community there, and Northern Michigan’s unique community as a whole.

“I live here, I raised my kids here, and I know that statistically, the other





kids who live here are going to stay here,” said Judge Mulhauser. “It’s in our best interest that we all function as cooperatively and helpfully as possible.”

Taking shape in the early 2000s, Judge Mulhauser’s court became one of the first courts in Michigan to embrace a juvenile drug court program model and a court school. As an effort to not only administrate justice, but also to help participants build successful lives, Judge Mulhauser’s innovative court programs have allowed young participants to enter back into the community with tools to succeed and thrive, using techniques similar to the peacemaking strategies used in tribal courts across the state.

Being familiar with Judge Mulhauser’s programs and the peacemaking approach, Chief Judge Maldonado saw potential for their application in her own court.

“Because the number of Little Traverse

Bay Bands Tribal citizens is so small in our area, we can’t afford to discount anyone. When people come through the criminal justice system, the typical ‘winner-takes-all’ scenarios are really ‘loser’ scenarios because the impact bleeds into the community very quickly.”

“If you can pull them back into their community and give them a role and help them understand who they are and what their place is in the world, that sense of identity and pride helps them feel better and achieve more.”

-Chief Judge Maldonado

But now in the courts, she said, “There’s a real effort to help people not just be accountable for their actions, but to look at how they got where they are, and help them not become a repeat offender. I think that everybody’s coming around to the tribal view that rehabilitation is really important, too.”

Developing the tailored programming and initiatives these programs utilize today took time and a bit of trial and error—no pun intended.

“I started my job in 1989, when there was no tribal court to speak of. I’ve worked with several tribal judges during my time in the court, attending meetings with their court personnel, probation staffs, and child care staffs, in order to share our goal for these kids to

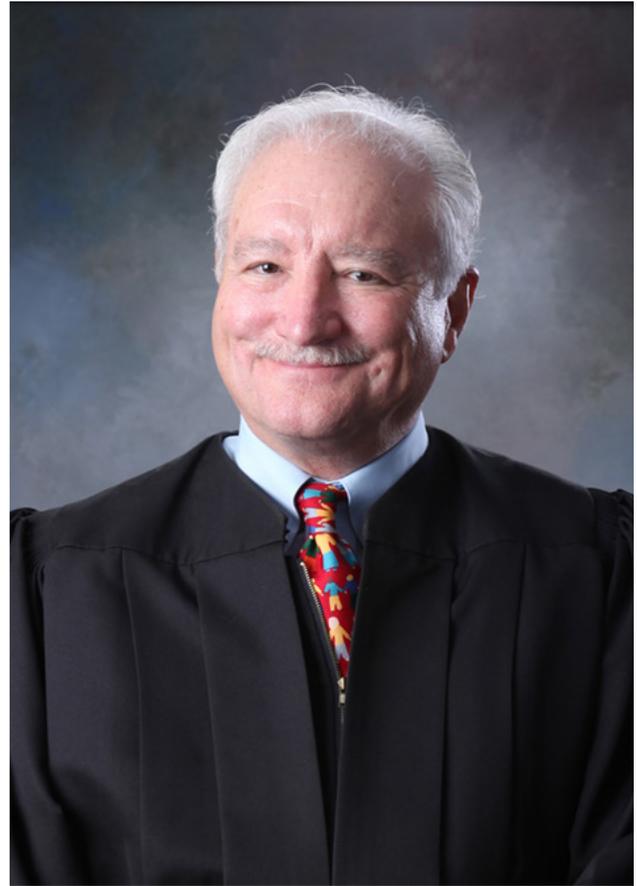
recover, become productive, and have a meaningful life,” explained Judge Mulhauser.

“Progress came from a series of baby steps; it wasn’t a grand vision. It was what didn’t work, what might’ve worked, and what we could put on top of that.”

As time progressed, collaboration between these two courts flourished, with Judge Mulhauser’s court utilizing the Little Traverse Bay Bands’ successful sobriety court programs and Chief Judge Maldonado’s court using Emmet County’s well-developed court school program.

“Once they are in our court, we have worked to utilize the resources Judge Mulhauser put in place in Emmet County—the number one thing being his court school. His court school is innovative, it’s groundbreaking, and it’s a model that the rest of the state, if not the country, should look to,” remarked Chief Judge Maldonado.

The court school and juvenile drug treatment court programs focus on adolescent brain development and developing treatment plans that improve the youth’s functioning while addressing educational and vocational skills deficits. These plans take into account personal, emotional, and family problems.



Judge Fred Mulhauser

Through social activities and supportive environments, the kids who enter and exit the drug treatment court are provided with a variety of tools to deal with their issues. The programs try to cater much of their programming to each individual child, which often comes in the form of Native American cultural activities for many of Chief Judge Maldonado’s cases.

“They often do basket making. There’s an opportunity to pick sweet grass





in the summertime, and they can harvest birch bark for traditional basket making. We also have ghost suppers, where the kids might serve or are in charge of making sure the fire is lit," she shared. "If you can pull them back into their community and give them a role and help them understand who they are and what their place is in the world, that sense of identity and pride helps them feel better and achieve more."

It is the smaller steps such as these that have helped build up their shared community through restorative justice. Judge Mulhauser and Chief Judge Maldonado note that they have often been seen as both judges and social workers, as a result.

"Most judges do not enter their work with a social worker's mentality, which I find is still missing in our court system. If you are going to be effective, you have to start wondering about how you can create effective solutions," said Judge Mulhauser.

Chief Judge Maldonado recalled, "I had a probation officer who used to call me the 'chief social worker,' because I was always looking for accountability, but more importantly, for solutions to problems."

"I want to change the entire child welfare system in this country," she continued. "I would like us to look

at child welfare through a problem-solving lens. Seeing what Judge Mulhauser has built has made me braver, and it has made me think outside the box."

Judge Mulhauser shared, "I've had many instances where judges from around the state have wanted to come and see our court school. Often times, they say, 'Wow! How do you do what you are doing? I don't think that we could do it.' They are defeated by the concept of not being able to pull it off. And I always say to them, 'Don't start here; start with what you can do and then do a little more. Whatever you do is going to be better than what you've already got.'"

Both courts continue to work together to build success stories and impact their community, as a whole—one step and one child at a time.

Chief Judge Maldonado encapsulates why this collaboration has been successful by sharing an Odawa quote: "Do not condemn the person with a problem, but show them friendship and compassion. If we only look at the person and the problem with anger or hate, nothing will ever be accomplished." ↗