



RECLAIMING FIRST NATIONS JURISDICTION

Inherent Authority. Treaty Jurisdiction. Nation-Specific Laws.
**Helping First Nations identify, articulate and implement
their own laws.**

FIRST NATIONS OWNED AND OPERATED

Sacred Circle Justice Services

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Our commitment

Sacred Circle Justice Services is a First Nations owned and operated business. Our work is grounded in respect for First Nations authority, Treaty relationships, community knowledge and the right of each Nation to define its own legal path.



Executive Summary

Across Canada, First Nations are restoring and strengthening their own systems of law, governance, family care, dispute resolution and accountability. Sacred Circle Justice Services supports this work from a Nation-first perspective.

Our starting point is that First Nations jurisdiction is not simply delegated authority. It is approached as inherent and pre-existing. For Treaty First Nations, law development is also considered within the Nation-to-Nation Treaty relationship and the responsibilities, promises and understandings that flow from it.

A different starting question

Rather than asking, “What authority does another government allow this First Nation to exercise?”, we begin by asking: “What is this Nation’s law, where does its authority come from, and how does the Nation choose to exercise that authority today?”

Sacred Circle does not bring a generic template and change the Nation’s name. We work with leadership, Elders, Knowledge Keepers, families, youth, staff and community members to identify the Nation’s own priorities, teachings, legal principles and institutional needs.

The result should be more than a document. It should be a law, policy or justice process that the people recognize as their own and that the Nation can administer, fund, review and sustain.

- Inherent and Treaty-based jurisdiction
- Nation-specific laws rather than pan-First Nations templates
- Elder, Knowledge Keeper and community-led engagement
- First Nations legal traditions translated into contemporary legal instruments
- Implementation through policies, procedures, tribunals, peacemaking and administration
- Long-term capacity and sustainable funding



Our Foundation

Inherent and Treaty Jurisdiction

First Nations legal orders existed before Canada. Families, leaders, Elders and communities carried responsibilities for children, lands, relationships, disputes, safety and collective well-being long before contemporary federal or provincial systems were created.

Sacred Circle Justice Services therefore approaches modern law development as part of a broader process of restoration and implementation. Federal and provincial laws may affect the legal environment in which a Nation operates, but our work begins with the Nation itself.

01

Inherent Jurisdiction

The Nation's authority is understood as arising from its existence as a Nation, its people, its laws and its responsibilities.

02

Treaty Jurisdiction

For Treaty Nations, law and governance should be understood within the Treaty relationship, including the Nation's own oral history and understanding of that relationship.

03

First Nations Legal Orders

Teachings, custom, kinship, language, ceremony, oral history and traditional decision-making may all inform the substance of contemporary Nation law.

04

Contemporary Implementation

Jurisdiction must be operational: laws require procedures, trained people, records, funding, institutions and fair decision-making processes.

Culture is not an accessory to jurisdiction. It can be part of the source, substance and operation of the Nation's law.



Nation-Specific Law Development

There is no single First Nations legal system. Nations have distinct histories, languages, Treaty relationships, customs, kinship systems, governance traditions and contemporary realities. Sacred Circle’s process is therefore individualized to the Nation.

1	Nation Learn the Nation’s history, governance structure, families, territory, services, institutions and current priorities.
2	Treaty and Legal Context Review the Treaty relationship, applicable law, agreements, court decisions and existing Nation authorities.
3	Elders and Knowledge Keepers Identify teachings, principles, customary practices and traditional approaches to responsibility and dispute resolution.
4	Community Engagement Hear directly from families, youth, leadership, staff and community members about what the law must protect, require and change.
5	Drafting Translate Nation direction into clear, enforceable and practical law, policy, regulations, procedures or tribunal rules.
6	Validation Return the draft to the Nation for Elder, community, technical and leadership review.
7	Enactment Support the Nation’s chosen process for adoption, approval or enactment.
8	Implementation Develop procedures, forms, training, institutions, dispute resolution, communication and review mechanisms.

Our standard

Templates may help organize a document. They do not determine the substance of a Nation’s law.



Child and Family Jurisdiction

Child and family law is one of the clearest areas in which a Nation can articulate its own responsibilities to children, parents, grandparents, extended family and community. Sacred Circle's approach begins with family preservation, belonging and accountability.

A Nation-specific child and family law can ask foundational questions that a provincial statute may not answer for the community:

- What is every child of the Nation entitled to?
- What responsibilities belong to parents, grandparents, extended family, leadership and the community?
- What supports must be offered before intrusive intervention is considered?
- How should kinship, customary care and customary adoption be recognized?
- How should children remain connected to family, language, culture, ceremony, territory and Nation?
- Who reviews agency decisions and holds decision-makers accountable?
- How should family disputes be resolved outside of court where appropriate?

The objective

A First Nations child and family system should not merely reproduce a provincial child-protection model with cultural language added. It can reflect the Nation's own laws, family responsibilities, prevention model, decision-making processes and institutions.



Prevention, Family Preservation and Community Responsibility

Sacred Circle supports a legal framework in which prevention is not treated only as a program. Where the Nation chooses, prevention can be expressed as a responsibility within the law itself.

Before a family reaches crisis, the law can direct attention toward supports that preserve safety and family unity. Depending on the Nation, these supports may include:

- housing and food security
- parent and caregiver support
- addictions and wellness services
- mental wellness and trauma supports
- transportation and respite
- kinship and grandparent supports
- Elder guidance, ceremony and cultural connection
- domestic violence safety planning
- education, employment and family stabilization supports

A Nation-first prevention principle

A family's need for help should not automatically be treated as proof of parental failure. Where safety permits, need should first trigger support, family planning and community responsibility.

Prevention → Support → Family Decision-Making → Kinship → Healing → Accountability → Reunification → Long-Term Wellness



Peacemaking, Dispute Resolution and Tribunals

Not every conflict belongs in a courtroom. First Nations have long used relational and community-based ways of resolving conflict, restoring balance and maintaining accountability. Sacred Circle can help Nations rebuild those processes in contemporary legal form.

01

Peacemaking Circles

Structured processes that bring affected people together to identify harm, responsibility, repair and future commitments.

02

Family Circles

Family-led planning for children and caregivers, with space for kinship, Elder guidance and practical support.

03

Mediation and Restorative Processes

Nation-based alternatives to adversarial proceedings where appropriate.

04

Independent Tribunals

Nation-created adjudicative bodies that can interpret and apply Nation law with procedural fairness and cultural legitimacy.

A Nation tribunal may, depending on the law creating it, address child and family services, housing, estates, governance, administrative appeals, land matters, community disputes or other areas of jurisdiction.

- Tribunal legislation and mandates
- Rules of procedure and hearing processes
- Appointment and independence standards
- Codes of conduct and conflict-of-interest rules
- Decision-writing standards and reasons
- Training for tribunal members and staff



Laws Beyond Child and Family Services

Sacred Circle Justice Services can support First Nations in building coherent legal systems across multiple areas of Nation life. The goal is not to create disconnected documents, but a body of Nation law that reflects shared principles and workable institutions.

Housing Law

Allocation, occupancy, succession, rent, arrears, maintenance, enforcement, appeals and dispute resolution.

Governance and Administration

Decision-making, accountability, transparency, delegated authority, records, conflicts and institutional roles.

Land and Stewardship

Nation-specific approaches to land use, environmental stewardship, community standards and administrative decisions.

Tribunal and Appeals Law

Independent, fair and culturally grounded processes for reviewing decisions made under Nation law.

Estates and Family Property

Nation-specific approaches to estates, succession, family responsibilities and community interests, with careful attention to applicable federal law.

Justice and Community Safety

Peacemaking, diversion, restorative processes, community standards and dispute resolution.

Citizenship and Belonging

Where directed by the Nation, processes reflecting its own understanding of belonging, family and citizenship.

Policies and Regulations

Operational rules, procedures, forms and standards needed to implement the Nation's laws day to day.



Data Sovereignty, Administration and Capacity

Jurisdiction depends on information. Nations need accurate records and data to make decisions, evaluate programs, demonstrate needs, protect privacy and plan for future generations.

Sacred Circle supports a Nation-controlled approach to information. The Nation should determine how information about its citizens, children, families, programs and institutions is collected, accessed, stored, shared, protected and used.

Technology should serve jurisdiction

A case-management platform, records system or data tool should support the Nation's law and decision-making structure. It should not quietly become the system that defines the law.

Implementation planning may include:

- Nation data governance and privacy policies
- records retention and access standards
- information-sharing agreements
- case-management requirements
- security and confidentiality protocols
- community reporting and accountability
- evaluation measures defined by the Nation
- training and role-specific access controls

Capacity also means people. Sustainable jurisdiction requires administrators, practitioners, legal and policy support, Elders and cultural advisors, tribunal members, records staff, trainers and leadership structures that understand the Nation's legal framework.



Funding Jurisdiction for the Long Term

A Nation cannot exercise permanent jurisdiction through temporary capacity alone. Law-making creates continuing obligations: to children, families, citizens, decision-makers, staff and institutions.

Sacred Circle can assist Nations in developing funding positions and implementation plans that connect jurisdiction to the actual cost of exercising it.

01	Population and Need Funding should reflect the people served, actual community circumstances and the intensity of services required.
02	Prevention Early supports require stable investment before crisis occurs, not only funding after intervention.
03	Infrastructure Jurisdiction may require offices, technology, records systems, transportation, facilities and secure information systems.
04	Institutions Tribunals, peacemaking processes, legal administration and independent review mechanisms require dependable operating resources.
05	Workforce Recruitment, training, compensation, supervision and wellness supports are part of implementation.
06	Sustainability Funding should support long-term operation, review and growth rather than one-time drafting or pilot activity alone.

Jurisdiction must be funded as a continuing responsibility, not treated as a temporary project.



How Sacred Circle Justice Services Can Help

Sacred Circle Justice Services is a First Nations owned and operated business providing Nation-focused legal, justice, policy and governance services. We work alongside First Nations rather than bringing a predetermined model.

Our role is to help Nations identify, articulate, draft and implement their own laws and justice processes in a form that is legally clear, operationally practical and recognizable to the people it serves.

- Inherent and Treaty jurisdiction research and legal framework development
- Nation-specific law drafting and policy development
- Elder, Knowledge Keeper and community engagement
- Child and family law development
- Housing, governance and estates policy development
- Peacemaking circle design and facilitation
- Tribunal legislation, procedures and member training
- Implementation plans, regulations, procedures and forms
- Funding proposals, workplans and institutional capacity planning
- Program review, evaluation and continuous improvement

What makes our approach different

We do not begin by asking how a First Nation can fit inside an existing system. We begin with the Nation's own authority, responsibilities and objectives, then build the legal and administrative structure around them.

Our work is collaborative. Leadership provides direction. Elders and Knowledge Keepers identify principles and teachings. Community members describe lived realities. Technical staff identify operational needs. Sacred Circle brings the legal drafting, facilitation, policy and justice expertise needed to turn that direction into workable instruments.



Our Laws. Our Families. Our Nations. Our Jurisdiction.

We do not bring a Nation its law. We help the Nation bring its law forward.

Sacred Circle Justice Services believes the future of First Nations governance is not limited to administering systems designed elsewhere. Nations can build legal and justice systems that reflect their own authority, Treaty relationships, histories, families, teachings and priorities.

That work can include laws that protect children and families, processes that resolve conflict through peacemaking, tribunals that interpret Nation law, policies that make jurisdiction operational, and institutions that remain accountable to the people.

The measure of success is not simply whether a document is enacted. Success is whether the Nation can use it, whether families understand it, whether decision-makers are accountable under it, and whether future generations can recognize it as part of their Nation's legal order.



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This publication is general information about Sacred Circle Justice Services' approach and is not legal advice for any particular Nation, organization or matter.