



**RESOLUTION OF THE GOVERNING BODY  
OF THE THREE AFFILIATED TRIBES  
OF THE FORT BERTHOLD INDIAN RESERVATION**

*A Resolution entitled, "Child Support Law Amendments"*

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act and having adopted a Constitution and By-laws under said Act; and
- WHEREAS,** Pursuant to Article III, Section 1 of the Constitution and By Laws of the Three Affiliated Tribes, the Tribal Business Council is the governing body of the Tribes; and
- WHEREAS,** Article I of the Constitution of the Three Affiliated Tribes expressly provides that the jurisdiction of the Three Affiliated Tribes shall extend to all persons and all lands, including lands held in fee, within the exterior boundaries of the Fort Berthold Reservation; and
- WHEREAS,** Article VI, Section 3 of the Constitution of the Three Affiliated Tribes specifically grants to the Tribal Business Council all necessary sovereign authority – legislative and judicial – for the purpose of exercising the jurisdiction granted by the people of the Three Affiliated Tribes in Article I of the Constitution; and
- WHEREAS,** Pursuant to Article VI, Section 5 (l) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulating the procedures of the Tribal Business Council and other Tribal agencies and Tribal officials on the Reservation; and
- WHEREAS,** The Tribal Business Council has established the TAT Division of Child Support Enforcement (hereinafter "TAT DCSE") pursuant to Resolutions 05-36-NH and 07-185-VJB "because the children are the most vital resource to the continued existence of the Three Affiliated Tribes and there exists a compelling interest in promoting and maintaining the health and wellbeing of tribal children;" and
- WHEREAS,** The Tribal Business Council acknowledges the financial difficulties and hardships that tribal children and families face from the lack of a formal child support enforcement program within the Fort Berthold Reservation; and



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**WHEREAS,** Amendments to the current child support laws allow for compliance with the federal laws applicable to TAT DCSE's Start-Up Grant and Title IV-D comprehensive application and funding; and

**WHEREAS,** Policies and procedures for TAT DCSE have also been developed in accordance with Tribal law with regard to child support and to ensure compliance with federal grant provisions; and

**WHEREAS,** A copy of Chapters 24 (Tribal Parentage Act) and 25 (Tribal Child Support Act) of Title V of the Tribal Code with the proposed amendments is attached; and

**WHEREAS,** Based on its review and discussion of the attached amended provisions of Chapters 24 and 25 of Title V, it is the considered judgment of the Tribal Business Council that such amendments should be approved, adopted, and added to the Code of Laws of the Three Affiliated Tribes.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council of the Three Affiliated Tribes hereby approves and adopts the attached amended Chapters 24 and 25 of Title V which are forthwith incorporated into the Code of Laws of the Three Affiliated Tribes and are to be effective immediately; specifically, the following amendments include:

- (1) Sections 5-24-2 and 5-25-2 are amended to include definitions for "defendant" and "plaintiff."
- (2) Sections 5-24-06 and 5-25-06 are amended to provide clarification of proper publication of parentage and child support proceedings.
- (3) Sections 5-24-10 and 5-25-11 are amended to provide for clarification of proper summons, notice of hearing, complaints, and hearing procedures in parentage and child support proceedings.
- (4) Section 5-24-23(3) is amended to provide clarification of what happens to child support arrearages during pendency of a proceeding to challenge a tribal acknowledgment or denial of paternity.
- (5) Section 5-24-43(6) is amended to provide for time limits on challenges of a court order adjudicating the presumed or acknowledged father to be the father of the child and to provide for limits upon the time within which such challenge shall be heard.



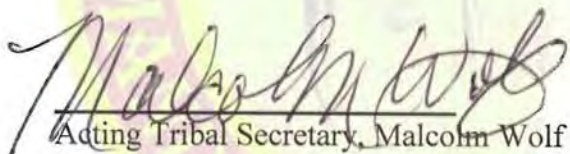
**CERTIFICATION**

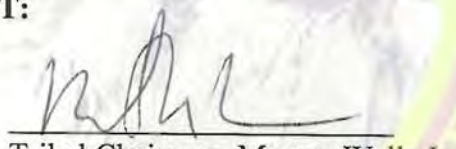
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum, 5 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 13<sup>th</sup> day of March, 2008; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 5 members, 0 members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [] Voting. [] Not voting.

Dated this 13th day of March, 2008.

**ATTEST:**

  
Acting Tribal Secretary, Malcolm Wolf  
Tribal Business Council  
Three Affiliated Tribes

  
Tribal Chairman, Marcus Wells Jr.  
Tribal Business Council  
Three Affiliated Tribes