



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

A Resolution entitled, "Amendment of Three Affiliated Tribes Code of Laws – Title II Civil Rules, Chapter 1 Rules of Civil Procedure, Rule 16 Enforcement of Judgment"

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, pursuant to Article VI, Section 3, the Tribal Council has all necessary sovereign authority – legislative and judicial – for the purposes of exercising the jurisdiction granted by the People in Article I of the Constitution; and

WHEREAS, pursuant to Article VI, Section 5(1) of said Constitution, the Tribal Business Council has the power to adopt resolutions regulation the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the reservation.

WHEREAS, the Tribal Business Council wishes to define the scope of the legal remedy of wage assignment and garnishment as provided in Title II, Chapter 1, Rule 16; and

NOW, THEREFORE, BE IT RESOLVED, the Tribal Business Council hereby approves the amendment of Title II Civil Rules, Chapter 1 Rules of Civil Procedure, Rule 16 to be amended and shall now read (*changes in italics*):

Rule 16 Enforcement of Judgment. A writ of execution to enforce a money judgment will issue, provide a debtor examination hearing *shall* be held first. The writ shall direct the police or other person to seize the property and conduct a judicial sale if necessary. A stay can be granted provided a bond is posted in an amount that will cover the damages and all costs unless waived. Disputed funds can be ordered held in escrow until resolution of a case or tax dispute. *All funds designated for the exclusive use by tribal governmental departments, programs and/or agencies shall be specifically exempt from any writ of execution or judgment.*



In addition, for cause shown the court can order a debtor to execute a wage assignment. Garnishment is another option that can be pursued by the creditor. However, a debtor is entitled to exemptions and can keep certain property and personal goods that cannot be seized or ordered. Any exceptions will be determined by personal needs and other laws that apply. *Court ordered wage assignments and/or the legal remedy of garnishment of wages shall be specifically limited to child support, federal taxes, federal financial aid and all fines and fees levied by the court pursuant to tribal law.*

BE IT FINALLY RESOLVED, The amendment to the Title II, Chapter 1, Rule 16 shall be effective immediately.


CERTIFICATION

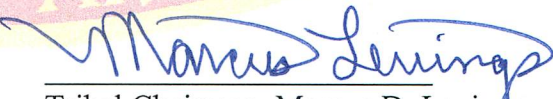
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 6 were present at a Regular Meeting thereof duly called, noticed, convened and held on the 9th day of April, 2009, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 6 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 9 day of April, 2009.

ATTEST:


Tribal Secretary, V. Judy Brugh
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Marcus D. Levings
Tribal Business Council
Three Affiliated Tribes