



RESOLUTION NO. 12-021-VJB

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

A Resolution Entitled: *“Approval of Appointment of Dedicated Associate Judge for the Fort Berthold District Court Domestic Violence Court”*

WHEREAS, This nation having accepted the Indian Reorganization Act of June 18, 1934, and the Authority under said Act; and

WHEREAS, The Constitution of the Three Affiliated Tribes generally authorizes and empowers the Tribal Business Council to engage in activities on behalf of and in the interest of the welfare and benefit of the Tribes and the enrolled members thereof; and

WHEREAS, Title I, Chapter 1, Section 4.2 of the Fort Berthold Tribal Code specifically authorizes and directs the tribal Business Council to appoint licensed attorneys to each serve in the capacity of Associate Judges for the Fort Berthold District Court on a calendar year basis ; and

WHEREAS, The Tribe and Tribal Court have been awarded a grant in the amount of \$100,000 from the United States Department of Justice Office of Violence against Women for Domestic Violence Program improvement and the Tribal Court intends to use a portion of these funds to hire a part time judge and prosecutor to process domestic violence criminal and civil cases through a domestic violence Court Docket; and

WHEREAS, The Tribal Court has selected licensed attorney, BJ Jones to serve as Domestic Violence Dedicated Judge in the Fort Berthold District Court for the Domestic violence Docket during calendar year 2012; and

WHEREAS, The Tribal Business Council concurs with the Selection of BJ Jones to serve as the Domestic Violence Judge for the Fort Berthold District Court 2012 Domestic Violence Docket; and

NOW THEREFORE BE IT RESOLVED, that the Tribal Business Council of the Three Affiliated Tribes hereby approves the appointment of BJ Jones to act as the Dedicated Domestic Violence Judge for the Domestic Violence Docket for the Fort Berthold District Court for Calendar Year 2012; and



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BE IT FURTHER RESOLVED , that the rate of compensation shall be Seven Hundred Fifty Dollars (\$750.00) per week or \$80.00 per hour per court session, in addition to reimbursement of documented mileage as set out in the contract; and

BE IT FINALLY RESOLVED that the Tribal Business Council hereby directs the Fort Berthold District Court to prepare the appropriate consultant agreements for the respective appointee identified herein above and to specify that the rate of compensation shall be Seven Hundred Fifty Dollars (\$750.00) per week or \$80.00 an hour per court session, in addition to reimbursement of documented mileage.

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**CONSULTANT CONTRACT
BETWEEN THE THREE AFFILIATED TRIBES AND
BJ Jones**

consideration of the alteration of the manner of the performance in order to reduce expenditures under the Contract.

12. TERMINATION OF CONTRACT:

When terminated for cause by either party, this Contract may be terminated immediately upon written notice. Written notice shall be delivered to the addresses set forth under Paragraph 1 above. This Contract may be terminated without cause upon 60 days written notice to the other party. Any notice deadline shall be measured from the date the notice is posted and mailed.

13. GOVERNING LAW:

This Contract is subject to and shall be interpreted in accordance with the laws of the Three Affiliated Tribes.

14. ASSIGNMENT OF RIGHTS AND DELEGATION OF DUTIES:

The rights and duties under this Contract may not be assigned or delegated by either party without the prior written consent of the other.

15. ENTIRE CONTRACT AND MODIFICATION:

This Contract contains the entire Agreement between the parties. This Contract may not be modified except by later written Contract signed by both parties.

16. INSURANCE & INDEMNIFICATION:

None.

17. JURISDICTION:

This Contract was executed and is to be carried out on the Fort Berthold Indian Reservation. Any dispute arising under this Contract is subject to the jurisdiction of the Fort Berthold District Court.

18. COMPLIANCE WITH APPLICABLE LAWS:

The Consultant shall comply with all applicable Federal, State, and Tribal (i.e. TERO) laws and regulations in performing this Contract. Consultant shall also comply with all of the Tribes applicable policies, procedures and rules.

to the Consultant or any of its sub-Consultants, under this Contract. The Consultant agrees that the Consultant shall indemnify the Tribe for any and



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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 22nd day of February, 2012, 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. [X] Not voting.

Dated this 22nd day of February, 2012.

ATTEST:


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


for Tribal Chairman, Tex G. Hall
Tribal Business Council
Three Affiliated Tribes