



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

A Resolution entitled, “*Restructuring the Judicial System of the MHA Nation To Handle Present and Future Challenges and Opportunities in order to give Our Members the Service they Deserve.*”

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 pursuant to 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 of the enrolled members thereof; and

WHEREAS, Article III of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council is the governing body of the Tribes; and

WHEREAS, Article IV, Section 5(l) of the Constitution of the Three Affiliated Tribes provides the Tribal Business Council authority to adopt resolutions regulating the procedure of the Tribal Council and other Tribal Agencies and Tribal Officials of the Reservation; and

WHEREAS, It is the considered judgment of the Tribal Business Council that its judicial system cannot continue to operate as it has in the past and that it must restructure its resources to meet critical and pressing needs of the MHA Nation in light of the Nation’s tremendous growth, both in terms of human and economic capital; and

WHEREAS, The MHA Nation District Court caseload has grown by 2,000% (percent), in the last two (2) years of its operation, and is similar to the Court caseload in Burleigh County, Bismarck, ND; and

WHEREAS, The Burleigh County Court has several Judges and ten (10) prosecutors in the State’s Attorney’s Office and, in comparison, the MHA Nation District Court has one (1) Judge and one (1) Prosecutor; and



WHEREAS, The Tribal Business Council has carefully considered that the Judicial system must fill many of the positions in the court with professional lawyers in order to effectively and professionally meet the needs of Tribal Members while, at the same time, ensuring compliance with the Indian Civil Rights Act, 25 USC §1301, *et seq.*; and

WHEREAS, There is a need to utilize attorneys in at least the following positions:

Clerk of Court:	One (1) Attorney position
Office of the Prosecution:	Two (2) Attorney Positions
Public Defender's Office:	Two (2) Attorney positions
Associate Judge:	One (1) full time Judge
Judicial Referee	One (1) full time Judge

WHEREAS, It is the considered judgment of the Tribal Business Council to restructure the Court for the purposes of providing proficient and successful services for our Tribal Members and to guarantee and ensure the Nation's judicial system reflects the sophistication of the MHA Nation's global marketplace in the world economy; and

THEREFORE BE IT RESOLVED, The Chief Judge, with the advice and consent of the Three Affiliated Tribes Justice Commission is charged with a complete restructure of the Court following the guidance of this Resolution.

BE IT FURTHER RESOLVED, All current staff of the Court can be reassigned, terminated or relocated within the Court and all current salaries and wages are subject to change in order to effectuate this restructure.

BE IT FINALLY RESOLVED, Quarterly progress reports shall be provided to the Tribal Business Council.




CERTIFICATION

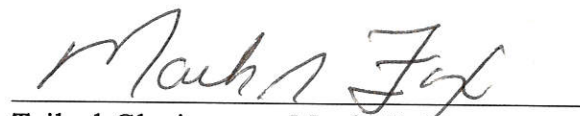
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Reservation, hereby certify that the Tribal Business Council is composed of 7 members of whom 5 constitute a quorum 6 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 27th day of March 2015, that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, members opposed, members abstained, members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [x] Voting. [] Not voting.

Dated this 27th day of March 2015.

ATTEST:


Tribal Secretary, L. Kenneth Hall
Tribal Business Council
Three Affiliated Tribes


Tribal Chairman, Mark N. Fox
Tribal Business Council
Three Affiliated Tribes