



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

**A Resolution Entitled: "Appointment of Special Alternate Justices for the M.H.A. Nation Supreme Court"**

**WHEREAS,** The 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 Tribe generally authorized 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(1) of the Constitution of the Three Affiliated Tribes provides that the Tribal Business Council has the power to adopt resolutions regulating the procedure of the Tribal Business Council and other Tribal agencies; and

**WHEREAS,** Article VI, Section 3 (c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to promulgate ordinances and to adopt rules and regulations governing various matters to be administered by the Tribal Court System; and

**WHEREAS,** Pursuant to Resolution No-13-096-VJB the Tribal Business Council established its own M.H.A. Nation Supreme Court; and

**WHEREAS,** Pursuant to Resolution No-14-013-VJB the Tribal Business Council appointed a Chief Justice, two primary Justices and two alternate Justices to the M.H.A. Nation Supreme Court; and

**WHEREAS,** Pursuant to approved Rules of Appellate Procedure for the M.H.A. Nation Supreme Court three (3) Justices constitute a quorum for the Supreme Court; and

**WHEREAS,** It is necessary for the Governing Body to appoint Special Alternate Justices to the M.H.A Nation Supreme Court to ensure that the Court is able to address appeals in the event that the Court lacks a Quorum due to conflicts of interest, recusals, or any other reason; and



**WHEREAS,** Special Alternate Justices shall only be called upon to serve as Justices when primary Justices or Alternate Justices, previously appointed, are not available or otherwise are unable to serve on a case.

**NOW THEREFORE BE IT RESOLVED,** that the Tribal Business Council hereby appoints James Grijalva, B.J. Jones, and any other licensed attorney in good standing appointed by the Chief Justice of the M.H.A. Nation to serve as Special Alternate Justices to the M.H.A. Nation Supreme Court; and

**BE IT FURTHER RESOLVED,** that the Chief Justice is authorized to assign Justices to cases pending before the M.H.A. Nation Supreme Court whenever a conflict exists or a primary Justice is unavailable or unable to serve on a case; and

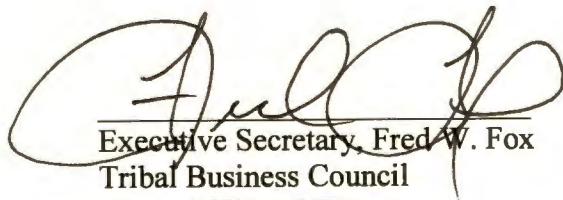
**BE IT FINALLY RESOLVED,** they Tribal Business Council hereby directs the Fort Berthold District Court to prepare the appropriate consultation agreements pursuant to the terms and conditions applicable to the M.H.A. Nation Supreme Court Judiciary by Resolution No.-14-013-VJB for each of the Special Alternate Justices appointed by Tribal Business Council.

### CERTIFICATION

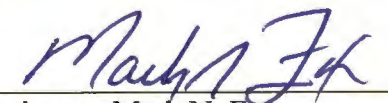
I, the undersigned, as Secretary of the Tribal Business Council of the Three Affiliated Tribes of the Fort Berthold Indian Reservation hereby certify that the Tribal Business Council is composed of seven (7) members of whom five (5) constitute a quorum, 7 were present at a Special Meeting thereof duly called, noticed, convened and held on the 9<sup>th</sup> day of February, 2017, that the foregoing Resolution was duly adopted at such meeting by the affirmative vote of 7 members, members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Chairman [ X ] Voting. [ ] Not Voting.

Dated this 9<sup>th</sup> day of February, 2017.

  
Executive Secretary, Fred W. Fox  
Tribal Business Council  
Three Affiliated Tribes

ATTEST:

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