

**THREE AFFILIATED TRIBES  
JUDICIAL COMMITTEE MEETING  
THURSDAY AUGUST 3, 2000**

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**MINUTES**

**1. Call to Order**

The Judicial Committee Meeting of August 3, 2000 was called to order at 1:22 pm.

**2. Roll Call**

All present: Chairman Mark Fox, Member; Daylon Spotted Bear Member; Austin Gillette

**3. Announcements**

Chairman Mark Fox informed the Committee that application was made for additional funds for the Law Enforcement Center. He stated that this is stage I and more finding is coming in so the outlook is good.

**4. Approval of Agenda**

**Motion** by Austin Gillette to approve the agenda as amended, **Seconded** by Daylon Spotted Bear

**Vote:** 3-0-0-0 / Motion Carried

**5. Approval of Minutes**

**Motion** by Daylon Spotted Bear to approve the Minutes of June 16, 2000 **Seconded** by Austin Gillette

**Vote:** 3-0-0-0 / Motion Carried

**6. Judge Albert Jones: Fort Berthold District Court**

**a. Fort Berthold District Court Booklet:**

Judge Jones presented a booklet that consisted of Grants the Tribe has applied for and Juvenile, Criminal and Civil reports. Judge Jones addressed the Edward Byrne Grant first. He stated that the application is due on July 15, 2000 and it is more than likely that they will receive funding.

Another grant that he applied for was the Drug Court Planning Grant. He received a letter from Elizabeth Schrage, Drug Courts Program Office Manager, which stated he has been selected to receive a Drug Courts Program Office Grant.

Judge Jones presented the statistics regarding juvenile, criminal, and civil reports. Chairman Mark Fox directed Judge Jones to document the cases that weren't only filed but the disposition on each case.

**b. Fort Berthold District Court Job Positions:**

Prosecutor

Chairman Mark Fox suggested that Judge Jones put together a job description for a full time prosecutor. A negotiated salary and budget match will be applied. Another alternative could also be used, such as a part time Prosecutor or a non-law trained Prosecutor.

**Motion** by Austin Gillette to direct the Fort Berthold District Court to advertise for full time Prosecutor, **Seconded** by Daylon Spotted Bear

**Vote:** 3-0-0-0 /Motion Carried

Public Defender

Patrick Black Hawk, Public Defender, has been required to undergo surgery and will be out of the office for eight weeks. Judge Jones stated that it would be helpful if there were a temporary worker until Mr. Black Hawk is able to return to work. Judge Jones stated that he spoke with Lisa Redford and she is willing to work 3 days a week to work as the temporary Public Defender.

Judge Jones informed the Committee that the Tribal Courts receptionist was going to be on leave until September and there is a need for a temporary worker in that position. Discussion was held regarding the requirements of the need to stay within the guidelines that will soon be implemented. Judge Jones stated the situation will be put in writing and will be revisited.

The Tribal Court Administrator Position will also be advertised as soon as possible.

**c. Policy on Setting Hearing and Court Dates**

Chairman Mark Fox directed the Legal Department to put the Case Docket Currency Standards together and bring back a draft to the next Judicial Meeting. A supplemental budget for codes will also be developed.

Bill Woods stated he submitted a Writ of Mandamus for Jury Cases, he suggested that a system be put in place. No action has been taken regarding this.

**d. Domestic Violence: Roberta**

Clarification on Procedures for Signing Protection Orders:

Roberta Crows Breast, Director for the Coalition against Domestic Violence, stated her concern regarding protection orders. She stated if a protection order is issued after working hours and during Holidays and the Judge or Magistrate is not available, there is no procedure to receive signature on protection orders when needed. Jim Fitzsimmons suggested that a respective member of the Community be designated as a Magistrate, which would give them signature authority.

The Committee will review this and bring it back at the next Judicial Meeting for consideration.

**7. Fort Berthold Law Enforcement Services**

Texx Fox gave a brief update on the Law Enforcement Department. He stated that Chief of Police Elmer Four Dance is attending Criminal Investigator School until September. He also reported that there are two Cops/Fast Officers attending the Indian Police Academy and also, Officer Jeff White has just completed K-9 School.

**a. Request for Extradition: *Closed Session***

**8. Adjournment**

Motion by Austin Gillette to adjourn the Judicial Committee Meeting of August 8, 2000 at 4:25 pm. Seconded by Daylon Spotted Bear

Vote: 3-0-0/Motion Carried

**Approved**

Daylon Spotted Bear  
**Chairman, Judicial  
Committee**

**Date**

2-2-01