



# MANDAN, HIDATSA, & ARIKARA NATION

*Three Affiliated Tribes • Fort Berthold Indian Reservation*

HC3 Box 2 • New Town, North Dakota 58763-9402

TRIBAL BUSINESS COUNCIL

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## **THREE AFFILIATED TRIBES JUDICIAL COMMITTEE REGULAR MEETING MARCH 15, 2001- 11:30 A.M.**

**01. CALL TO ORDER:**

Committee Chairman, Daylon Spotted Bear, called the meeting to order at 11:55 a.m.

**02. ROLL CALL:**

**Members present:** Committee Chairman, Daylon Spotted Bear; Member Mark Fox, and member Marcus Wells, Jr.

**03. ANNOUNCEMENTS:**

None were made at this time.

**04. APPROVAL OF MINUTES:**

The minutes were deferred at this time.

**05. APPROVAL OF AGENDA:**

**Committee member Marcus Wells, Jr. motioned to approve the agenda. Seconded by Committee member Mark Fox.**

**VOTE:** 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion carried.

**06. ND LEGAL SERVICES - JIM FITZSIMMONS:**

Mr. Jim Fitzsimmons would like to talk about the associate judges on the agenda. He felt the Tribal Court has three excellent judges. He said there is no associate judge within four hundred miles from here. He felt there might be a vacancy judge position here for a while and suggested looking at hiring another associate judge to keep up with the cases. Discussion followed on budgetary problems. Interviews for the Judge has been scheduled for the Tribal Business Council. Committee member Mark Fox said they are scheduled for April 2<sup>nd</sup>.

The other topic Mr. Fitzsimmons discussed with the Committee was child support. He felt the Court needs to look at the orders that were issued that had child support provisions in them that are not being enforced. He said most of the people on the Reservation are working now and felt this should be enforced. Discussion followed on child support enforcement both on and off the reservation.

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**Committee member Mark Fox motioned to the Committee recommend to the Tribal Business Council to coordinate with Legal Department to hire a summer law student intern to address the issues of child support codes, do an analysis and bring the recommendations back to the Tribal Business Council. Seconded by Committee member Marcus Wells, Jr.**

**VOTE:** 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion carried.

Discussion: Look to the State for assistance in funding this undertaking or for implementing these recommendations.

**07. FT. BERTHOLD DISTRICT COURT:**

No one showed up at this time.

**08. ELDER ABUSE:**

Committee Chairman Spotted Bear said the elder's wanted to get a code in place because there is nothing on elder abuse. Committee member Mark Fox said this has to be defined until something can be done. This issue was deferred.

**09. MOA AGREEMENT:**

Mr. Kip Quale spoke to the Committee about the MOA agreement again. The changes were recommended by Committee member Mark Fox to be implemented into the MOA between TAT/BIA and Mr. Kip Quale will take these recommended changes back to Mr. Four Dance and his supervisors to concur and bring back the final draft of the MOA to the next scheduled Judicial Committee meeting.

**10. ANIMAL WARDEN:**

Mr. Kip Quale filled the council in on what has transpired on the animal warden. The job description has been completed and the job announcement has been published and aired and will run for one month. On April 17<sup>th</sup>, the animal warden will be out and the ordinance will be in effect. The person hired will be responsible to the Three Affiliated Tribes Judicial Committee and directly responsible to the Committee's Chairman. Committee member Mark Fox asked if the pound facilities of New Town can be utilized and Mr. Quale stated he spoke with Gary Peterson who concurred.

**11. JURY LIST:**

The Committee was updated by Mr. Kip Quale on the jury list. He stated they developed a list and looked at the code provision in which it required the list of the main pool be comprised of the people who voted in the last general election in which all six polling

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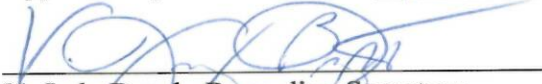
places were open. He stated rather than relying on the poll books they used the resident affidavits of voter registration. They used the names and addresses that appeared on the 1998 affidavits of voter registration. He submitted this list to Maggie Young Bear about one week ago. The Committee requested a copy of this list.

**Committee member Marcus Wells, Jr. motioned to adjourn. Seconded by Committee member Mark Fox.**

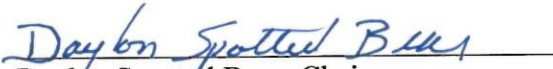
**VOTE:** 3 Ayes, 0 Nays, 0 Abstentions, 0 Not Voting  
Motion carried.

**The meeting adjourned at 12.41 p.m.**

Approved by Committee this 19<sup>th</sup> day of June, 2001.

  
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V. Judy Brugh, Recording Secretary  
Judicial Committee  
Three Affiliated Tribes

**ATTEST:**

  
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Daylon Spotted Bear, Chairman  
Judicial Committee  
Three Affiliated Tribes