



**THREE AFFILIATED TRIBES  
TRIBAL BUSINESS COUNCIL  
JUDICIAL COMMITTEE  
MEETING NO.13-05-JRP  
MAY 15, 2013**

**CALL TO ORDER:**

Committee Chairman Phelan called the meeting to order at 2:43pm.

**INVOCATION:**

Moment of Silence.

**ROLL CALL:**

Present: Councilman Randy Phelan, Councilman Fred Fox,(tele-conference) and Councilwoman V. Judy Brugh, Councilman Mervin Packineau arrived at pm. A quorum is established with 4 members present.

**01. APPROVAL OF THE AGENDA:**

FF: Add-ons: Child Support #8.

Councilwoman Judy Brugh moved to approve the agenda as amended.

Councilman Fred Fox seconded the meeting.

VOTE: 3 Ayes. Motion carried.

**02. FORT BERTHOLD SUPREME COURT RESOLUTION REQUEST: Chief Judge**

**Diane Johnson:**

Judge Johnson presented draft resolutions for the Judicial Committee to review and support.

- Tribal Court systems can apply for pilot projects federally funded.
- The focus of the program will transact with domestic violence cases. Part of their criteria is based on the tribal needs with qualified effective appellate and jury pools. The Tribe needs to have a functioning court system, and will make sure everything is in place.
- Creating a Supreme Court staffed with Justices would eliminate the need to be a member of the Northern Plains Appellate Court. At present it's a non-functioning court-system.
- For future references if a tribe has a domestic non-member court case, be prepared to win as the verdict will affect every tribal court in US.
- **INCREASE OF FEES FOR LICENSED ATTORNEYS, ADVOCATES AND PRO HAC VICE."**

Councilwoman Judy Brugh moved to support and forward to the Tribal Business Council for action a Resolution entitled, "Increasing of Fees for Licensed Attorneys, Advocate and Pro hac vice **adding language** to exclude attorneys working for the tribe." Councilman Fred Fox seconded the motion.

VOTE: 3 Ayes. Motion carried.



**03. TRIBAL CHILD SUPPORT DIVISION: Ellen Smith**

Councilman Fred Fox moved to support and forward to the Tribal Business Council a financial request of \$10,000 (General fund) from the Tribal Child Support Division to create a line item for electronic transfer fees to custodial parents accounts. Councilwoman Judy Brugh seconded the motion.

VOTE: 3 Ayes. Motion carried.

**HOMELAND SECURITY UPDATE:**<sup>1705</sup>

Training Amber alert

Child Abduction Response Team

Organize Sirens for curfew, tornados, fire,

911 Tribal Program? Large cost

Medical alert

Emergency management , Law enforcement, emergency helicopter

Heli Emergency Chopper haul water — suppress range fires

**04. FORT BERTHOLD DISTRICT COURT: Norma Baker Closed session.**

**05. COURT FULL COURT ENTERPRISES:**<sup>1730</sup>

Councilman Mervin Packineau moved to approve the purchase of a software system called, "Full Court Enterprises," for the Court system. Councilman Fred Fox seconded the motion.

NOTE: The software modularization leads to a structure in which the modules integrate strong interdependent tasks.

**06. CHIEF CLERK OF COURT:**

Councilman Mervin Packineau moved to approve the temporary appointment of Charlene Knight to Chief Clerk of Court based upon merit and because of additional supervision of the civil court clerks approve a salary adjustment from \_\_\_\_\_, with Tribal Court budget to cover the cost. Councilman Fred Fox seconded the motion.

VOTE: 4 Ayes. Motion carried.

**07. PROBATION OFFICERS:**

Closed Session. Probation Officers need to be separate from the District Court a and Chad Chief of Police would be willing to supervise them but space is also the issue. This matter will be brought back to Judicial in June,2013.



**08. LAW AND ORDER MONTHLY UPDATE:**

- Employees same number
- Detective division/in process of hiring a new Detective
- 14 Narcotic Drug, 22 Federal Indictments, Drug Surge
- Evidence Room custodian or duty supervisor get key
- Det. White will be only one with a key.
- Need more patrol cars and officers
- State Academy versus Indian Police Academy

**09. GERALD TEXX FOX JUSTICE CENTER:**

- Secondary offense through State
- Indian Health Service – on call Nurses (a real need)
- Staff having surgery –out a lot
- Need a data base server
- Put a line item for Budget Phase 2 “Design Team.”
- Nightingale Nurses at Gerald Texx Fox Justice Center
- Need additional moneyto pay “over time”

**10. JUDICIAL MEETING DATES MONTHLY SCHEDULE**

Committee Chairman Phelan would like to start meetings at 10:00 am. Thursdays is fine check the schedules out and as long it doesn't interfere third Thursday of each Month. The next Judicial meeting is May 29, 2013.

**11. ADJOURNMENT:**

Councilman Fox moved for adjournment. Councilwoman Brugh seconded the motion. The meeting adjourned at 6:15 pm.

VOTE: 4 Ayes. Motion carried.



**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's Judicial Committee is composed of three (3) members and of whom three (3) constitutes a quorum \_\_\_\_\_ were present at the meeting thereof duly called, notice, convened and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2013; that the foregoing Minutes were duly adopted at such meeting by the affirmative vote of \_\_\_\_\_ members; \_\_\_\_\_ members opposed; \_\_\_\_\_ members abstained; \_\_\_\_\_ members not voting.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Councilman L. Randy Phelan Chairperson  
Three Affiliated Tribes - Judicial Committee

**ATTEST:**

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\_\_\_\_\_  
Member, TAT Judicial Committee  
Tribal Business Council  
THREE AFFILIATED TRIBES

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Tribal Business Council  
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