

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

- WHEREAS,** This Nation having accepted the Indian Reorganization Act of June 18, 1934, and the authority under said Act;
- 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;
- WHEREAS,** There is no comprehensive established procedure for the recognition and enforcement of foreign judgments by the Tribal Court;
- WHEREAS,** The absence of a such a comprehensive procedure and the recognition and enforcement of foreign judgments by the Tribal Court on an ad hoc basis has caused concern, confusion and loss of confidence in the judicial system by the people it was intended to serve;
- WHEREAS,** There is an urgent need to adopt an interim procedure for the court to follow until the Legal Department has researched this matter thoroughly and made recommendations to the legislative body, the Tribal Business Council of the Three Affiliated Tribes;
- WHEREAS,** This interim procedure shall become effective immediately.
- NOW, THEREFORE, BE IT RESOLVED,** That the Tribal Court may give recognition and enforce foreign judgments provided however, that the person seeking recognition and enforcement of the foreign judgment file a complaint and/or petition with the Tribal Court and serve a copy of the complaint or petition on the defendant and/or respondent in accordance with the Rules of civil procedure.

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FURTHER BE IT RESOLVED, That the Tribal Court shall convene a hearing to hear arguments from both sides as to whether the foreign judgment should be recognized and enforced.

FINALLY, BE IT RESOLVED, That the Tribal Court shall not recognize and enforce any foreign judgment from a jurisdiction that does not reciprocate by recognizing and enforcing judgments of the Tribal Court of the Mandan, Hidatsa and Arikara Nation.

C E R T I F I C A T I O N

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 comprised of 7 members, of whom 5 constitute a quorum, 5 were present at a Special Meeting thereof duly called, noticed, convened, and held on the 29th day of October, 1992; that the foregoing Resolution was duly adopted at such members opposed, 0 members abstained, 0 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 29th day of October, 1992.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Walter G. Wickham
Chairman, Tribal Business Council