

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, Article VI, Section 5(1) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to adopt resolutions regulating the procedure of Tribal agencies;

WHEREAS, The Tribal Social Services Department, in order to operate a more effective and efficient department, deems it necessary and appropriate to have amended the Child Welfare Code;

THEREFORE BE IT RESOLVED, that the Child Welfare Code is hereby amended as follows:

1. The Three Affiliated Tribes Title 8 Child Welfare Code 8A - 1.3 under DEFINITIONS #17 be changed to "Indian Child Welfare Act Team (ICWA Team), a group of individuals including at least one Tribal Business Council member, who will decide on whether the Three Affiliated Tribes should intervene in state court on an ICWA case." Also, for the original #17 to be changed to 18 and the original #18 changed to #19 etc..
2. Section 8a-1.3 under Intervention in State Court Proceedings #2 shall now read "upon receipt of notice from a state court of a state court proceeding the tribal agent for service of notice shall immediately notify the Indian Child Welfare Act Team, Tribal Court Juvenile Division and the Tribal Chairman.
3. Section 8a-1.3 under B, Report Time Limit and Content, shall now read "within two (2) days of notice from state court, Tribal Social Services

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ITEM 08: RESOLUTION/ASSOCIATE JUDGE POSITION: #93-15-JJR.
Resolution read by Secretary Rabbithead.
This resolution pertains to the appointment of
Diane Johnson Avery of Mandaree ND as Associate
Judge of the Three Affiliated Tribes for a term
of 24 months.

Councilman Gillette made motion to approve reso-
lution with the term of 24 months, seconded by
Councilman Fast Dog.

Chairman Wilkinson acknowledged motion and second.

Discussion: There was a suggestion that we revamp
our Tribal Court System with a possibility to place
a tribal member law trained attorney into the Chief
Judge position so the case loads would not be so
back logged. The legal department to be given a
directive to do research and go through what we
have in place to lessen the burden at Tribal Court.

Vote: 7 for, 0 opposed. Motion Carried.

ITEM 09: RESOLUTION:
There was another resolution on the same issue of
Associate Judge submitted by our legal counsel.
There was no action taken as it was already taken
care of by resolution #93-15.

ITEM 10: RESOLUTION/CHILD PROTECTION: Resolution #93-16-JJR.
Resolution read by Secretary Rabbithead. This
resolution pertains to 5 (five) amendments to the
Child Welfare Code in order to operate a more
effective and efficient department.

Janet Gunderson, Social Service Director who was
present was asked if she had anything to add. She
stated these changes would make the process a lot
quicker.

Chairman Wilkinson entertained a motion to approve.

Councilman Mossett made a motion to approve,
seconded by Councilman Fast Dog.

Vote: 6 for, 0 opposed, 1 not voting.
Motion carried.

shall provide the Indian Child Welfare Act Team with a written report including recommendations on filing a motion to intervene in state court."

4. Section 8a-1.3 #4 under Recommendations and Intervention shall now read "within twenty-four (24) hours of receipt of the intervention report from the Tribal Social Services Department, the Indian Child Welfare Act Team shall make a written recommendation to the Tribe if the Tribe should intervene in state court."
5. Section 8a-1.3 under 4B shall read "Within three (3) days of receipt of the Three Affiliated Tribes Indian Child Welfare Act Team's decision to intervene, the Tribal Social Services by and through its attorney shall file a motion to intervene."

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 composed of 7 members of whom 5 constitute a quorum, 7 were present at a Regular Meeting thereof duly called, noticed, convened, and held on the 10th day of February, 1992; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 6 members, 0 members opposed, 0 members abstained, 1 members not voting, and that said Resolution has not been rescinded or amended in any way.

Dated the 10th day of February, 1992.

John J. Rabbithead Jr.
Secretary, Tribal Business Council

ATTEST:

Wilbur O. Wilbur