

**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; and
- 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; and
- WHEREAS,** Article VI, Section 3(a) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to assist members of the Tribes in presenting their claims and grievances before any court or agency of government; and
- WHEREAS,** Article VI, Section 5(c) of the Constitution of the Three Affiliated Tribes specifically authorizes and empowers the Tribal Business Council to administer the funds within the exclusive control of the Tribes and to make expenditures from available Tribal funds for the public purposes of the Tribes; and
- WHEREAS,** North Dakota Legal Services, Inc. has presented to the Tribal Business Council a formal request for supplemental funding from the Three Affiliated Tribes to enable the program to continue providing a reasonably adequate level of free legal services to low income people residing on the Fort Berthold Reservation and in surrounding areas, due to the reasonably anticipated substantial reduction in 1996 federal funding, coupled with previously implemented reductions in 1995 monthly federal funding; and
- WHEREAS,** As a devastating consequence of such actual and anticipated reductions in federal funds which constitute the principal source of funding for the operation of the program, North Dakota Legal Services, Inc. has been unable to replace the sole staff attorney who left the program approximately four months ago and, as a result, has been compelled to significantly reduce both the number and types of cases handled, at the direction of the Board of Directors of the program; and
- WHEREAS,** North Dakota Legal Services, Inc. has provided a significant level and quality of free civil and criminal

legal services to low income members of the Three Affiliated Tribes and other eligible persons resident on the Reservation and in surrounding areas for a period of approximately twenty-five (25) years and at absolutely no expense to the Tribal Government; and

WHEREAS, It is the considered judgment of the Tribal Business Council that the Three Affiliated Tribes should provide to North Dakota Legal Services, Inc. the requested supplemental funding, so as to assist the program in its effort to restore a reasonably adequate level of legal services to low income people residing on and near the Fort Berthold Reservation, which services have proven, over the past two and one half decades, to have been so crucial, if not indispensable, to the welfare of the Three Affiliated Tribes;

NOW, THEREFORE, BE IT RESOLVED, That the Tribal Business Council of the Three Affiliated Tribes hereby authorizes and directs payment of a grant to North Dakota Legal Services, Inc. in the total amount of Thirty-Five Thousand, Eight Hundred, Twelve and 00/100 Dollars (\$35,812.00) to enable North Dakota Legal Services, Inc. to secure additional attorney services for the purpose of enhancing the program's provision of free legal services to low income people residing on and near the Fort Berthold Reservation.

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 21st day of December, 1995; that the foregoing Resolution was duly adopted at such Meeting by the affirmative vote of 7 members, 0 members opposed, 0 members abstained, 0 not voting, and that said Resolution has not been rescinded or amended in any way.

Dated this 21st day of December, 1995.

Daylon Spotted Bear
Secretary, Tribal Business Council

ATTEST:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke ending in a small checkmark.

Chairman, Tribal Business Council



NORTH DAKOTA LEGAL SERVICES

P.O. Box 217 • Main Street
New Town, North Dakota 58763

COPY

MEMO

TO: JIM FITZSIMMONS
DATE: November 20, 1995
FROM: VICKIE FOX *VFX*
RE: COST ANALYSIS - STAFF ATTORNEY POSITION

Below are the figures you requested regarding a staff attorney position. This is approximately what we would need in 1996 to bring in a second attorney to our operation.

* * * * *

Salary	\$30,000
FICA (employer's matching)	2,295 *
Blue Cross Blue Shield w/ Life premium	1,705 * 139
ND Bar Association dues	200
Unemployment Compensation premium	840 *
Worker's Compensation premium	179
Malpractice Insurance premium	<u>454</u>
TOTAL	<u>\$35,812</u>

* figures estimated by 1995 rates

Phone: (701) 627-4719 • Fax: (701) 627-4122

James P. Fitzsimmons
Executive Director

Vickie D. Fox
Paralegal

Mary Beth Jarski
Secretary

Clarine Jackson
Admin. Assistant