

FILING A COMPLAINT WITH THE MANDAN, HIDATSA, ARIKARA ETHICS AND RULES COMMITTEE

- Attached, you will find a blank complaint form that you must use if you wish to file a complaint against another person who you believe has violated the MHA Nation *Ethics in Government Ordinance*.
- This is the only form that can be used for this purpose
- You may not file a complaint for an act that happened more than two (2) years from the date that you file this complaint with the Ethics Committee Clerk
- You may not request the Ethics Committee to take any action that is beyond their scope of authority as set forth in the ethics ordinance.
- This complaint must be typed or completed legibly in ink. **DO NOT USE PENCIL OR THE COMPLAINT WILL NOT BE ACCEPTED FOR FILING.** If you wish to complete the complaint on a computer, please supply your e-mail address to the Clerk and she will e-mail to you a Word copy. If you wish, you may provide the Clerk with a thumb-drive and she will place a copy on that for you.
- If you have any documents you wish to have the Ethics Committee review with your complaint, they **MUST** be filed with the Clerk at the time you file your complaint. **You may not submit additional documents after the complaint has been filed.**
- All sections of the complaint must be completed in full. If you do not know the answer to a question, please type or write: “I don’t know”.
- The Clerk will review your complaint before accepting it for filing. If there are items missing, she will advise you that you must complete the complaint before filing.
- All complaints must be verified. That means you are swearing under oath to the Committee that to the best of your knowledge, the facts alleged in the complaint, and that any documents you submit are true and accurate.
- You must sign the complaint before a Notary Public or acknowledge in front of the Notary that you are the one who signed the complaint. If the Clerk of the Committee is not a Notary, she can direct you to somebody within the tribal administrative building who is and can notarize your signature at no cost to you.
- Any correspondence sent to you from this office will be sent via U.S. Mail at the address you provide in the complaint. If that address changes, it is your responsibility to timely notify the Clerk of the Committee. Your e-mail address will be used only as a convenient method to contact you, answering questions, or other administrative matters between you

and the Clerk. The Clerk will not use e-mail to send documents representing official action by the Committee.

- The Clerk will deliver a copy of your completed complaint to the person you allege to have violated the ethics ordinance. They will have 20 days to file a written response. If that person files a written response, the Clerk will mail a copy to you.
- Please be advised that the complaint and respondent's written response are confidential pursuant to tribal law. Until they are introduced into evidence they remain confidential and neither you nor the respondent are permitted to share or publish those documents.
- If you believe the person named in your complaint has committed a crime, please contact the appropriate officials with this information. Even if that act also violates the ethics ordinance the Ethics Committee can only act on those violations pursuant to the ethics ordinance and cannot take any criminal action against the person.
- Once the complaint has been properly filed it will be forwarded to the Ethics Committee for review. A hearing will be conducted on all complaints but if after reviewing the complaint the Ethics Committee believes the complaint should be dismissed, you will be notified of that intent and the reasons therefor, and you may still appear at the hearing to offer an explanation to the Committee at that time.
- You and the respondent will be given written notice of the time, date and place of the hearing. At the hearing you may be asked to proceed with the presentation of your case or any evidence you have that would prove the facts alleged in your complaint.
- If after filing your complaint you decide to withdraw your complaint, you must submit to the Clerk a written statement expressing that desire. The Clerk can provide you with a written document for this purpose. If after reviewing your complaint the Committee believes there is enough cause to investigate the matter further, they may appoint a Special Prosecutor to investigate and to pursue the complaint on behalf of the MHA Nation. In such a case, this will be done at no cost to you. Please be advised that even if you withdraw your complaint, it is possible that you may be subpoenaed to testify before the committee.
- Please remember, the Ethics Committee may exercise only that authority granted in the Ethics ordinance and cannot exceed that authority.
- If you wish to have a complete copy of the Ethics Ordinance or any forms provided by the Ethics Committee, please contact the Clerk of the Committee, or you may obtain them by visiting the tribal website.