



Little River Band of Ottawa Indians

375 River Street
Manistee, MI 49660
(231) 723-8288

Resolution # 03-0917-302

*Authorizing the Tribal Council Recorder to Initiate Steps to Obtain Authorization to
Release of Judgment Fund Monies Held in Trust
For Certain Tribal Members*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, Congress has enacted Public Law 105-143, which provides for the division of judgment funds of the Ottawa and Chippewa Indians of Michigan pursuant to dockets numbered 18-E, 58, 364, and 18-R; and

WHEREAS, Section 5 of Public Law 105-143 required the Tribe to prepare a plan for use and distribution of the Tribe's share of the Dockets 18-E, 58 and 364 judgment funds; and

WHEREAS, the Section 2 of the Indian Tribal Judgment Funds Use or Distribution Act, 25 U.S.C. 1403, requires the Tribal Council to assure that the interests of minors and other legally incompetent persons entitled to receive any portion of the judgment funds distributed to them will be protected and preserved; and

WHEREAS, Section 3.04 of the "80/20 Distribution Plan" requires the Tribal Council to place the Judgment Fund Monies of qualified minor, incompetent and incarcerated Tribal members in a private trust account administered pursuant to a trust agreement meeting the requirements described in the Plan; and

WHEREAS, the Tribal Council has established the individual Judgment Fund accounts for minors in Huntington National Bank pursuant to a Trust Agreement approved by the Tribal Council and Ordinance No. 98-200-04; and

WHEREAS, the terms of the Section 3.06(a) of the 80/20 Plan and Section 6.05 of Ordinance No. 98-200-04 requires the Tribal Council to approve the release of funds held in trust for minors at such time as the minor reaches the age of 18; and

WHEREAS, the Legislative Counsel has identified that certain Tribal members with trust accounts containing nominal sums and that releasing the funds held in those accounts is necessary to prevent those accounts from being depleted by dormant fees assessed by the Bank; and

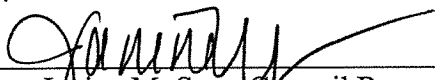
WHEREAS, the Legislative Counsel has submitted a report recommending that the Tribal Council Recorder be authorized to send letters to each of the identified Tribal members to obtain those persons' authorization to permit the Legal Department to file a motion with the Tribal Court requesting an order to release the funds held in those persons' trust accounts.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby authorizes the Tribal Council Recorder to send the attached letter to each of the individuals identified in the report prepared by the Legislative Attorney requesting authorization for the Legal Department to file a motion with the Tribal Court to order disbursement of the remainder of funds in such person's trust account.

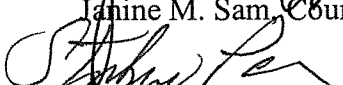
IT IS FINALLY RESOLVED THAT, upon receipt of the authorization from each identified Tribal member, the Tribal Council authorizes the Legal Department to file the necessary motion with the Tribal Court to obtain the release of the remainder of funds held in trust for such Tribal members as expeditiously as possible.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 0 AGAINST, 0 ABSTAINING, and 2 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on September 17, 2003, at the Little River Band's Community Center in Manistee, Michigan, with a quorum being present for such vote.



Janine M. Sam, Council Recorder



Stephen Parsons, Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Legal Department