



## Little River Band of Ottawa Indians

2608 Government Center Drive

Manistee, MI 49660

(231) 723-8288

### Resolution #17-0301-087

*Approval for the Unified Legal Department to Submit Comments in Support of Proposed Amendment of MCR 8.126 to waive fees and other requirements for out of state attorneys representing tribes in cases subject to the Michigan Indian Family Preservation Act*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Anishinaábek* (Little River Band of Ottawa Indians) as a sovereign and a 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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a)(1) and (2) to establish laws through the enactment of ordinances and adoption of resolutions to govern the conduct of Tribal Members and others within the Tribe's jurisdiction and to provide for the public health, peace, morals, education and general welfare of the Tribe and its members; and


WHEREAS, the Unified Legal Department wish to express its support of proposed amendment of Rule 8.126 of the Michigan Court Rules as it will allow for increased

compliance and participation in cases subject to the Indian Child Welfare Act and Michigan Indian Family Preservation Act.

NOW THEREFORE IT IS RESOLVED that Tribal Council approves the submission of comments in support of the proposed amendment to the Michigan Court Rule 8.126 by the Unified Legal Department to the Office of the Administrative Counsel of the Michigan Supreme Court.

**CERTIFICATION OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 6 FOR, 0 AGAINST, 0 ABSTAINING, 2 ABSENT, and 1 VACANT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council, held on March 1, 2017, at the Government Center in Manistee, Michigan, with a quorum being present for the vote.

  
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Gary Di Piazza, Acting Recorder

  
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Virgil Johnson, Council Speaker

Attest:

Distribution: Tribal Council  
Unified Legal Department