



Little River Band of Ottawa Indians

2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #18-0711-218

Resolution Recognizing Jason Cross as the Little River Band of Ottawa Indian Qualified Expert Witness in Indian Child Welfare Hearings

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 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) to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Indian Child Welfare Act was passed in 1978 to prevent culturally insensitive state government child welfare practices that negatively impacted Indian children, their families, and their Tribes;

WHEREAS, the Indian Child Welfare Act seeks to ensure that Indian children are removed from their parents only after carefully crafted efforts have been made to maintain the Indian family; and

WHEREAS, in 2012, Michigan passed the Michigan Indian Family Preservation Act to set even higher standards for the handling of Indian child welfare cases and to

provide further guidance to state agencies, courts, and tribes when addressing Indian child welfare cases; and

WHEREAS, one of the protections provided by the Indian Child Welfare Act and the Michigan Indian Family Preservation Act is the requirement of Qualified Expert Witness testimony prior to the removal of an Indian child from their family and prior to the termination of parent rights; and

WHEREAS, the Michigan Indian Family Preservation Act provides that the preferred type of Qualified Expert Witness is a member of the Indian child's tribe or witness approved by the Indian child's tribe, who is recognized by the tribal community as knowledgeable in tribal customs and how the tribal customs pertain to family organization and child rearing practices; and

WHEREAS, Jason Cross is the Director of Family Services and has testified as a Qualified Expert Witness in more than 100 hearings about Little River Band of Ottawa Indians children; and


WHEREAS, Jason Cross is recognized by this Tribal Council as knowledgeable in tribal customs and how the tribal customs pertain to family organization and child rearing practices; and

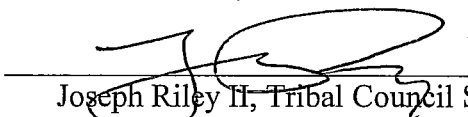
NOW, THEREFORE, IT IS RESOLVED THAT, the Tribal Council hereby recognizes Jason Cross as the Little River Band of Ottawa Indians' Qualified Expert Witness in all Indian child welfare proceedings regarding Little River Band of Ottawa Indians children; and

IT IS FURTHER RESOLVED THAT, this Resolution may be used in the proffering of Jason Cross' Qualified Expert Witness testimony in all Indian child welfare proceedings regarding Little River Band of Ottawa Indians children.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on July 11, 2018, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.


Sandra Lewis, Tribal Council Recorder


Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Council Records
Tribal Ogema
Tribal Court
Prosecutor