Council News

Manido Giizis (Spirit Moon)
January 2016 Vol.1 Issue 15

Proposed Changes

Resolution #15-1209-373
(b) Non-Member Qualifications. A non-member of the Tribe may be appointed to or elected to serve as a Tribal judge if such individual possesses a Law degree and has practiced in Federal Indian law or as a tribal judge, and has not been convicted of any crime involving dishonesty, moral turpitude, nor been convicted of a felony under Federal, Tribal or State law within the ten(10) year period immediately preceding the date of the election, or, in the event of a vacancy under Article X, Section 4(a), hislher appointment.

Current Constitution

(b) Non-Member Qualifications. A non-member of the Tribe may be appointed to or elected to serve as a Tribal judge if such individual possesses a Law degree and has practiced in Federal Indian law or as a tribal judge, and has not been convicted of any crime involving dishonesty, moral turpitude, nor been convicted of a felony under Federal, Tribal or State law within the seven (7) year period immediately preceding the date of the election, or, in the event of a vacancy under Article X, Section 4(a), his/her appointment.

Proposed Changes

PROPOSAL #7-ShouldArticle VI Section 8 be amended as/ollows:
Section 8 - Jurisdiction and Powers of the Tribal Courts. The jurisdiction and judicial powers of the Little River Band of Ottawa Indians shall extend to all cases and matters in law and equity arising under the Tribal Constitution or under the laws and ordinances applicable to the Little River Band of Ottawa Indians. Such powers shall include, but are not limited to,
(a) To adjudicate all civil and criminal matters arising within the territorial or membership-based jurisdiction of the Tribe.
(b) To review ordinances and resolutions of the Tribal Councilor General Membership to ensure that they are consistent with this Constitution and rule void those ordinances and resolutions deemed inconsistent with this Constitution.
(c) To hear cases based on ordinances and laws of the Tribe for purposes of determining innocence or guilt where trial by jury has been waived.
(d) To assign fines and penalties as allowed by Tribal and Federal law.
(e) To grant warrants for search to enforcement officers when just cause is shown.
(f) To grant warrants, writs, injunctions and orders not inconsistent with this Constitution.
(g) To swear in Tribal Council members and the Tribal Ogema by administering the oath of office.
(h) To establish, by general rules, the practice and procedures for all courts of the Little River Band.
(i) To prepare and present to the Tribal Ogema and Tribal Council a budget requesting an appropriation of funds to permit the Tribal Courts to employ personnel or to retain by contract such independent contractors, professional services and whatever other services may be necessary to carry out the dictates of this Constitution, the Tribal Court Ordinance and all Ordinances creating lower courts of limited jurisdiction.
G) To preside over all suits for declaratory or injunctive relief as provided for an in accordance with Article XI of this Constitution.
Resolution #15-1209-373

Current Constitution

Section 8 - Powers of the Tribal Court
(a) The judicial powers of the Little River Band shall extend to all cases and matters in law and equity arising under this Constitution, the laws and ordinances of or applicable to the Little River Band including but not limited to:
1. To adjudicate all civil and criminal matters arising within the jurisdiction of the Tribe or to which the Tribe or an enrolled member of the Tribe is a party.
2. To review ordinances and resolutions of the Tribal Council or General Membership to ensure they are consistent with this Constitution and rule void those ordinances and resolutions deemed inconsistent with this Constitution.
3. Hear cases based on ordinances and laws of the Tribe for purpose of determining innocence or guilt where trial by jury has been waived.
4. Assign fines and penalties as allowed for violations of Tribal law, as allowed by Tribal and Federal Law.
5. Grant warrants for search to enforcement officers when just cause is shown.
6. Grant warrants, writs, injunctions and orders no inconsistent with this Constitution.
7. Swear in Tribal Council members and the Tribal Ogema by administering the oath of office;
8. Establish, by general rules, the practice and procedures for all courts of the Little River Band.

CERTIFICATE OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 8 FOR, 0 AGAINST, 0 ABSTAINING, and 1 ABSENT, at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on December 9, 2015, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.
Attest:
Distribution: Council Records
Tribal Ogema
Tribal Courts

ATTENTION TRIBAL MEMBERS

Please let your voice be HEARD!! If you have not registered to Vote, call the Enrollment or Election Board Offices to have a Voter Registration Form sent to you. Fill it out attach a copy of your Tribal I.D. and return it.

Don't procrastinate, you want your vote to make a difference. Don't let others speak for you!! If you have questions about how to fill out the Voter Registration Form,
call us at 231-398-6712.