

The Chippewa Cree Tribe of the Rocky Boy's Reservation

Phone: (406) 395-4478 or 4210 - Finance Office
(406) 395-4282 or 4321 - Business Committee

96 Clinic Road
Box Elder, Montana 59521

A RESOLUTION

Resolution No. 142-22

HEREBY AMENDING THE TRIBAL JUDICIAL COMMISSION BYLAWS AND TO INCORPORATE ALL PROPOSED CHANGES.

WHEREAS, the Chippewa Cree Business Committee is the governing body of the Chippewa Cree Tribe of the Rocky Boy's Indian Reservation by the authority of the Constitution and By-Laws of the Chippewa Cree Tribe approved on the 23rd day of November, 1935, and;

WHEREAS, pursuant to their inherent sovereignty and Constitution and By-Laws of the Chippewa Cree Tribe, the Chippewa Cree Tribal Business Committee is charged with the duty to promote and protect the health, security and welfare of the Tribe, and;

WHEREAS, Article XII, Section 1 of the Constitution and By-Laws for the Chippewa Cree Tribe of the Rocky Boy's Reservation, as amended states that: "There shall be established a Judicial Branch within the tribal government to enforce ordinances and laws of the Business Committee, the Election Board and/or to administer justice through a tribal court;" and;

WHEREAS, the Chippewa Cree Business Committee established a Tribal Judicial Commission in support of the separation of powers between the executive, legislative and judicial branches of tribal government, and;

WHEREAS, on November 22, 2010, the Tribal Judicial Commission established the Tribal Judicial Bylaws which outlines the authority the Tribal Judicial Commission shall have when conducting business, and;

WHEREAS, the Tribal Judicial Commission deems it necessary to adopt and incorporate amendments to the Tribal Judicial Bylaws, and

WHEREAS, the Tribal Judicial Commission recommends that the Chippewa Cree Tribal Business Committee adopts the proposed amendments to the Tribal Judicial Bylaws, as outlined below, and;

WHEREAS, the Chippewa Cree Tribal Business Committee wishes to recognize and incorporate the propose amendments to the Tribal Judicial Bylaws, and;

WHEREAS, the Chippewa Cree Business Committee affirms that all resolutions, or parts of the same, that are inconsistent with the provisions of this resolution, are hereby repealed to the extent of such inconsistency, now;

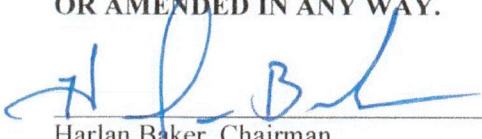
THEREFORE BE IT RESOLVED, the Chippewa Cree Business Committee hereby amends the Tribal Judicial Bylaws of the Judicial Branch.

REVIEWED
BY CCT-OAG

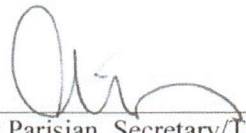
BE IT FINALLY RESOLVED, that the newly revised Tribal Judicial Bylaws of the Tribal Judicial Commission, is hereinafter attached. The effective date shall be on the date of certification of this Resolution.

CERTIFICATION

I, THE UNDERSIGNED, AS SECRETARY/TREASURER OF THE BUSINESS COMMITTEE FOR THE CHIPPEWA CREE TRIBE, HEREBY CERTIFY THAT THE BUSINESS COMMITTEE IS COMPOSED OF NINE MEMBERS, OF WHOM FIVE (5) MEMBERS CONSTITUTING A QUORUM WERE PRESENT AT A MEETING, DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD ON THE 17th DAY OF OCTOBER, 2022, AND THAT THE FOREGOING RESOLUTION WAS FULLY ADOPTED AT SUCH A MEETING BY THE VOTE OF Five (5) MEMBERS FOR AND zero (0) MEMBERS AGAINST AND (0) MEMBERS ABSTAINED, AND THAT THIS RESOLUTION HAS NOT BEEN RESCINDED OR AMENDED IN ANY WAY.



Harlan Baker, Chairman
Chippewa Cree Tribe



Chassidy Parisian, Secretary/Treasurer
Chippewa Cree Tribe

TRIBAL JUDICIAL COMMISSION BYLAWS

The Tribal Judicial Commission shall adopt bylaws for the conduct of business, which shall include the following provisions:

- (A) The Tribal Judicial Commission shall consist of five (5) members. The Chippewa Cree Business Committee shall appoint the Commission members.
- (B) The officers of the Tribal Judicial Commission shall be the Chairman, Vice-Chairman, and such other officers as may be hereinafter designated by the Commission.
- (C) The Chairman, Vice-Chairman, and other officers shall be appointed from within the Tribal Judicial Commission.

- (D) The Chairman shall serve a term of four (4) years, unless earlier removed from the Chippewa Cree Business Committee.
- (E) The Vice-Chairman and (3) Commissioners shall serve a term of four (4) years, unless earlier removed from the Chippewa Cree Business Committee.
- (F) The Tribal Judicial Commission shall adhere to a system of staggered terms of office.
- (G) The Chairman shall preside over all meetings of the Tribal Judicial Commission, shall perform all duties of a Chairman and exercise any authority delegated by the Commission. The Chairman shall vote in the case of a tie.
- (H) The Vice-Chairman shall assist the Chairman when called upon to do so, and in the absence of the Chairman, shall preside, over all meetings of the Tribal Judicial Commission, shall perform all duties of a Chairman and exercise any authority delegated by the Commission, and shall vote in the case of a tie.
- (I) The Tribal Judicial Commission shall appoint a representative to keep an accurate record of all matters transacted at the meetings, and promptly submit copies of all minutes of regular, special, virtual and telephonic meetings, to the Tribal Judicial Commission.
- (J) The Tribal Judicial Commission shall hold regular meetings each month with not less than a five (5) day written or verbal notice to members of the Commission. The Commission shall provide notice to the general public.
- (K) The Chairman or Vice-Chairman shall have the power to convene special meetings with not less than ten (10) hours written or verbal notice to members of the Tribal Judicial Commission.
- (L) Regular meetings of the Tribal Judicial Commission shall be open to the public. Special meetings of the Commission shall be closed to the public.
- (M) Executive sessions of the Tribal Judicial Commission shall not be open to the public. The Commission may take official action while in executive session.
- (N) Virtual and telephonic meetings may be held if all persons participating in the meeting can be heard.

TRIBAL JUDICIAL COMMISSION BYLAWS

Originally passed during the Judicial Commission Meeting Held on November 22, 2010. Amended and passed by the Judicial Commission on September 15, 2022. Adopted by the Business Committee by Resolution No.____, on October 17, 2022.

- (O) A quorum shall consist of three (3) members, or a majority of the members. All decisions shall be made by a majority vote provided, however, that no Commission action shall be taken by a vote of less than a majority of the full Commission.
- (P) An actionable item may be taken outside a scheduled meeting if unanimously approved by the Tribal Judicial Commission (absent approval by the Chairman). The actionable item shall require written consent signed by all members of the Commission. An approved actionable item shall be documented and properly filed.
- (Q) The Tribal Judicial Commission and/or appointed representative shall provide monthly reports to the Chippewa Cree Business Committee.
- (R) The Chippewa Cree Business Committee may remove an appointed Commissioner without cause. The Tribal Judicial Commission may remove an appointed Commissioner with cause, which includes but not limited to: excessive absenteeism from scheduled meetings, gross misconduct of official duty, violation of applicable laws, or criminal convictions in any court proceedings.
- (S) An appointed Commissioner may resign after providing a thirty (30) day written notification to the Tribal Judicial Commission. Upon receiving notification, the Tribal Judicial Commission shall immediately inform the Chippewa Cree Business Committee of the vacancy.
- (T) An appointed Commissioner shall take a temporary leave of absence immediately upon filing as a candidate for membership on the Business Committee and/or any other public office elected at-large within the exterior boundaries of the Rocky Boy's Indian Reservation. If the Commissioner is confirmed into a public office, which is elected at-large, the Commissioner shall resign immediately.
- (U) The Judicial Commission Bylaws shall be modified by majority vote of the Commissioners.

CERTIFICATION

I, THE UNDERSIGNED, AS COMMISSIONERS OF THE JUDICIAL COMMISSION FOR THE CHIPPEWA CREE TRIBE, HEREBY CERTIFY THAT THE JUDICIAL COMMISSION IS COMPOSED OF FIVE (5) MEMBERS, OF WHOM _____ () MEMBERS CONSTITUTING A QUORUM WERE PRESENT AT A MEETING, DULY AND REGULARLY CALLED, NOTICED, CONVENED AND HELD ON THE _____ DAY OF _____, 2022, AND THAT THE FOREGOING AMENDMENTS THE JUDICIAL COMMISSION BYLAWS WAS FULLY ADOPTED AT SUCH A MEETING BY THE VOTE OF _____ () MEMBERS FOR AND _____ () MEMBERS AGAINST AND _____ () MEMBERS ABSTAINED, AND THAT THIS RESOLUTION HAS NOT BEEN RESCINDED OR AMENDED IN ANY WAY.

Chairman, of the Judicial Commission

Vice-Chairman, of the Judicial Commission

Commission member

Commission member

Commission member