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Mashkisibi Center

BAD RIVER TRIBAL COUNCIL

Bad River Community Center, Route 2, via Ashland, WI 54806

RESOLUTION NO. 11-5-80-128

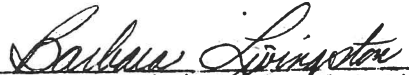
WHEREAS, The Bad River Tribal Council makes the following findings:

- (1) That the Bad River Tribal Court Code establishes a civil remedial forfeiture procedure,
- (2) That the Code provides for a hearing on the seizure of property within five days of the seizure, if the seizure is accomplished prior to the issuance by Tribal Court of an order to seize,
- (3) That Tribal Court currently sits only once a month, rendering the five-day hearing rule impracticable,
- (4) That at any time a defendant whose property has been seized desires the return of such property, he may, pursuant to the Code, deposit a money bond in its stead;

NOW, THEREFORE, BE IT RESOLVED that the ordinance appended hereto, providing for hearings on the seizure of property within thirty days of the seizure, be enacted into law.

CERTIFICATION

I, the undersigned, as Secretary of the Bad River Band of Lake Superior Chippewa Indians of Wisconsin, hereby certify that the Tribal Council is composed of _____ members, of whom 6 members, constituting a quorum, were present at a meeting hereof duly called, noticed, convened and held on the 5th day of Nov., 1980; that the foregoing resolution was duly adopted at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that the said resolution has not been rescinded or amended.



Barbara Livingston, Secretary
Bad River Tribal Council

AN ORDINANCE AMENDING THE TRIBAL
COURT CODE, RESOLUTION 9-5-79-8,
PERTAINING TO ORDERS TO SEIZE

ARTICLE ~~X~~XIII, Section 17 is repealed and reenacted to read:

Section 17. When property has been seized prior to filing of a complaint, a complaint shall be filed within twenty-four hours of the seizure.

ARTICLE ~~X~~XIII, Section 17.5 is hereby created, to be inserted immediately following ARTICLE XIII, Section 17:

Section 17.5. In all cases the hearing on the order to seize shall be heard within 30 days of the filing of the complaint. The tribe shall use its best efforts to attempt to provide actual notice of the hearing to the owner of the property.