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Mashkisibi Center

BAD RIVER TRIBAL COUNCIL

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

RESOLUTION NO. 11-5-80-130

WHEREAS, The Tribal Council of the Bad River Band of Lake Superior Chippewa Indians desires an effective tribal system for the administration of justice; and

WHEREAS, the Tribal Council wishes to secure for those within the jurisdiction of the tribal court a system of justice that is fair and that comports not only with federal law but also with traditional tribal processes; and

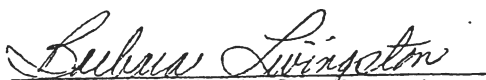
WHEREAS, the Tribal Council finds that the trial of facts to a jury is a conflict resolution tool in many ways foreign to traditional Ojibwa ways; and

WHEREAS, the Tribal Council finds that the trial of facts to one learned judge, with appeal provided to the Tribal Council, is an efficient equitable, and reliable method for ascertaining the truth of a matter in conflict;

NOW, THEREFORE, BE IT RESOLVED that the ordinance appended hereto, repealing the right to a jury trial in civil forfeiture cases, 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 7 members, of whom 6 members, constituting a quorum, were present at Nov. 5, 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at said meeting by an affirmative vote of 5 members, 0 against, 0 abstaining, and that the said resolution has not been rescinded or amended.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 TO AMEND THE TRIBAL COURT CODE, RESOLUTION
9-5-79-8, TO ELIMINATE CERTAIN JURY TRIAL PROVISIONS.

The following sections are repealed:

Article XXIII, Section 5,
Section 20(f),
Section 23.

Article V. Section 4 is repealed and recreated to read:

Any person appearing as a criminal defendant in
Bad River Tribal Court is to be tried by the judge
with the right provided for jury trial upon demand.