



# Mille Lacs Band of Ojibwe Indians

## Legislative Branch of Tribal Government

July 30, 2020

To Mille Lacs Band Members:

Please accept this letter as notice that the Band Assembly is currently reviewing proposed legislation to amend 12 MLBS §§ 115-122 and 21 MLBS §§ 4, 301-374 to define rights of parties and procedures in forcible entry and unlawful detainer cases, including for dwellings obtained under the Native American Veteran Direct Loan Program, and to divert all real and personal property cases to the Court of Central Jurisdiction. An entire draft of the proposed changes can be found on the Mille Lacs Band website at <https://millelacsband.com/government/legislative-branch>.

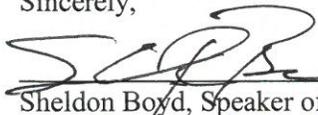
A summary of the most significant proposed changes and issues to be addressed are as follows:

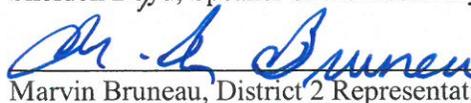
- **Currently, the MLBS require Associate Justices, called Magistrates, to adjudicate forcible entry and unlawful detainer cases even though in practice these positions do not exist.** The proposed amendments would allow forcible entry and unlawful detainer cases to be adjudicated more efficiently by diverting these cases to the District Court Judge.
- **Currently, the MLBS provide that lawful entry of a dwelling or premises to recover possession must occur peaceably. That requirement contradicts other MLBS provisions that authorize law enforcement, in limited circumstances, to enter a dwelling or premises by force to recover possession.** The proposed amendments would clarify that the MLBS authorize an exception for Band law enforcement to enter a dwelling or premises by force to recover possession when a lessee cannot be located and there is no other person in control of the premises to serve a demand or order.
- **Currently, the MLBS define the rights of parties and procedures in all forcible entry and unlawful detainer cases.** The proposed amendments would clarify that these rights and procedures do not apply to any Band-owned dwelling designated as restorative or transitional housing. This would facilitate a zero-tolerance policy for the use of illicit drugs.

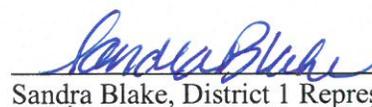
Please take note that these are not the only proposed provisions governing forcible entry and unlawful detainer cases under review by the Band Assembly. All Band members and employees are encouraged to review the entire draft.

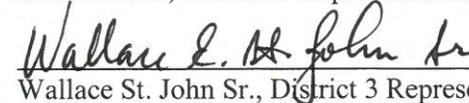
The public comment period for these proposed changes has been set at 15 business days. **Therefore, please submit any written comments to [legislation@millelacsband.com](mailto:legislation@millelacsband.com) no later than 5:00 PM on August 21, 2020. Please use "Housing" as the subject title.** You may also submit written comments in person to the Legislative Branch at the Government Center. Hard copies of the draft legislation are available upon request. *Miigwech.*

Sincerely,

  
Sheldon Boyd, Speaker of the Assembly

  
Marvin Bruneau, District 2 Representative

  
Sandra Blake, District 1 Representative

  
Wallace St. John Sr., District 3 Representative