

Act 23-23

An Act amending Section 910 of Chapter 3 of Title 15 to expand the service area of Band Member Legal Services for child custody proceedings and child protection matters. It will also enact a new section to allow Band Member Legal Services to reserve the right to assign a different attorney if an attorney declines or terminates representation.

On March 15, 2023, the Band Assembly introduced and passed Act 15-23. On March 22, 2023, the Chief Executive vetoed the Act. On March 24, 2023, and on April 5, 2023, the Band Assembly and the Chief Executive had a compromise hearing regarding the Act. This Bill is intended to reach a compromise between the Band Assembly and the Chief Executive.

The District I Representative introduced the following Bill on the 12th day of April, 2023.

BE IT ENACTED BY THE BAND ASSEMBLY OF THE NON-REMOVABLE MILLE LACS BAND OF OJIBWE:

Section 1. Amending Section 910 of Chapter 3 (Band Member Legal Services) of Title 15 (Independent Agencies).

Section 910 is amended as follows:

§ 910. Service Area of Band Member Legal Services.

- (a) **General.** Band Member Legal Services shall have a service area including the counties of Aitkin, Crow Wing, Hennepin, Mille Lacs, Morrison, Pine, and Ramsey.
- ~~(a)~~(b) **Child custody proceedings.** Band Member Legal Services shall have a service area including all counties in Minnesota for child custody proceedings as defined by 25 U.S.C § 1903 and child protection matters as stated in Title 8, Chapter 13 – Child Protection.

Section 2. Enacting Section 912 of Chapter 3 (Band Member Legal Services) of Title 15 (Independent Agencies).

§ 912. Declination or Termination of Representation.

- (a) Band Member Legal Services may decline or terminate representation of a client to the extent permissible under:
 - (1) § 911 of this Chapter; or

(2) the Minnesota Rules of Professional Conduct.

(a) — If Band Member Legal Services declines or terminates representation pursuant to paragraph (2) of subsection (a) of this Section, the Director shall, in a manner consistent with the Minnesota Rules of Professional Conduct, assign another attorney to provide representation.

**Act 23-23
(Band Assembly Bill 20-03-23-23)**

Introduced to the Band Assembly on this
Twelfth day of April in the year
Two thousand twenty-three.

Passed by the Band Assembly on this
Twelfth day of April in the year
Two thousand twenty-three.


Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: April 14, 2023 
Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

