

Ordinance 39-19

An Ordinance amending 5 MLBSA §§ 4, 7, & 10 to provide the Judicial Branch the authority to increase the composition of the Judiciary with the addition of Associate District Court Judges whom shall be held to the same statutory requirements as the District Court Judge. The Bill also amends the requirement that all District Court Judges be members in good standing of a state bar.

The District III Representative introduced the following Bill on the 9th day of July, 2019.

Preamble

It is enacted by the Band Assembly of the Mille Lacs Band of Ojibwe, for the purpose of amending 5 MLBSA §§ 4, 7, & 10 to provide the Judicial Branch the authority to increase the composition of the Judiciary with the addition of Associate District Court Judges whom shall be held to the same statutory requirements as the District Court Judge. The Bill also amends the requirement that all District Court Judges be members in good standing of a state bar.

The statutory requirements mandated in 3 MLBSA § 16(a) including the requirement that the Band Assembly “conduct formal hearings on any bill which alters, amends, or repeals Titles 1, 3, 4, and 5, Chapter 1 of Title 2 and Subchapters I to III of Chapter 3 of Title 24 of the Mille Lacs Band Statutes Annotated” have been fulfilled and the Band Assembly may take formal action on this bill.

Title 5 MLBSA § 4 currently reads:

§ 4. Composition of the District Court

The District Court shall be composed of one District Court Judge.

Title 5 MLBSA § 4 shall now read:

The District Court shall be composed of one District Court Judge and such other Associate District Court Judges as necessary.

Title 5 MLBSA § 7 currently reads:

§ 7. District Court Judge; appointment and term of office

(a) The District Court Judge shall be nominated by the Chief Executive who shall submit the nomination to Band Assembly. Band Assembly shall upon receipt of the nomination confirm or reject the nomination within 30 days.

(b) The District Court Judge shall serve a six year term expiring August 15, 1 996 and on this date every six years hence. The District Court Judge may be disciplined or removed for cause pursuant to 3 MLBSA § 25.

Title 5 MLBSA § 7 shall now read:

§ 7. District Court Judge and Associate Judges; Appointment and Terms of Office

(a) The District Court Judge and the Associate Judges shall be nominated by the Chief Executive who shall submit the nominations to Band Assembly. Band Assembly shall upon receipt of the nominations confirm or reject the nominations within 30 days.

(b) The District Court Judge shall serve a six-year term expiring August 15, 1996 and on this date every six years hence.

(c) The Associate Judges shall each serve a four-year term expiring August 30, 2024 and on this date every four years hence.

(d) The District Court Judge or Associate Judges may be disciplined or removed for cause pursuant to 3 MLBSA § 25.

Title 5 MLBSA § 10 currently reads:

(a) Shall have graduated from an accredited law school, and be a member of a state bar association, and

(b) Shall have never been convicted of a felony or gross misdemeanor and if convicted of such while seated as a judge that person shall be subject to removal pursuant to 3 MLBSA § 25.

Title 5 MLBSA § 10 shall now read:

§10. Qualifications of the District Court Judge and Associate Judges

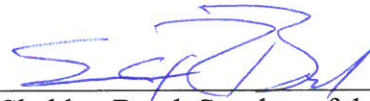
(a) Shall have graduated from an accredited law school and be a member in good standing of a state bar.

(b) Shall have never been convicted of a felony or gross misdemeanor and if convicted for such while seated as a judge shall be subject to removal pursuant to 3 MLBSA § 25.

Ordinance 39-19
(Band Assembly Bill 18-04-39-19)

Introduced to the Band Assembly on this
Ninth day of July in the year
Two thousand nineteen.

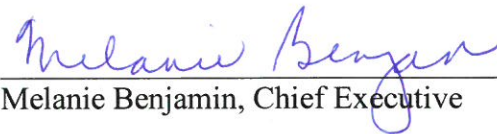
Passed by the Band Assembly on this
Ninth day of June in the year
Two thousand nineteen.



Sheldon Boyd, Speaker of the Assembly

APPROVED

Date: August 5, 2019



Melanie Benjamin, Chief Executive

OFFICIAL SEAL OF THE BAND

Band Assembly Bill 18-04-39-19

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