

COMMISSIONER'S ORDER 14-88

HUMAN SERVICES

WHEREAS, the Congress of the United States has vested tribal courts with exclusive jurisdiction over Indian Child Welfare matters, 25 U.S.C. Section 1911, and

WHEREAS, the Congress of the United States has permitted tribes to intervene on all Indian Child Welfare matters, Id, and

WHEREAS, the Court of Central Jurisdiction for the Mille Lacs Band of Chippewa Indians is a tribunal with both subject matter and personal jurisdiction over Band members and their children, Band Statute 1024 M.L.C. 3, and

WHEREAS, the Indian Child Welfare Act provides that Indian children shall not be removed from an Indian family without the permission of the tribe, 25 U.S.C. 1901 et Seq., and

WHEREAS, the laws of Minnesota, except for Public Law 280, do not apply in Indian Country pursuant to Worcester v. Georgia 31 U.S.C. 515 (1832) and Bryan v. Itasca 426 U.S. 373 (1976)

NOW THEREFORE, BE IT ORDERED, that the Court of Central Jurisdiction shall be the tribunal to adjudicate Indian Child Welfare matters.

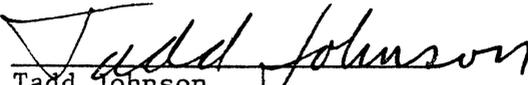
BE IT FURTHER ORDERED, that Indian children shall not be removed from this Reservation by State court order alone unless the approval of the Band Social Services Department has first been obtained and an order from the Court of Central Jurisdiction accompanies said State court order,



Mabel Smith

Commissioner Human Services

APPROVED AND NUMBERED AS TO
FORM AND EXECUTION


Tadd Johnson
Solicitor General

OFFICIAL SEAL OF
THE BAND