

## MILLE LACS BAND OF CHIPPEWA INDIANS

### *Legislative Branch of Tribal Government*

#### RESOLUTION 04-01-28-90

#### A RESOLUTION OPPOSING THE APPELLATE COURT SYSTEM OF THE MINNESOTA CHIPPEWA TRIBE.


- WHEREAS, the Mille Lacs Band Assembly is the duly elected governing body of the Mille Lacs Band of Chippewa Indians, and
- WHEREAS, the Mille Lacs Band has been a self-governing, sovereign entity from time immemorial and entered into treaties with the United States of America in 1825, 1837, 1842, 1847, 1854, 1855, 1863 and 1864, and
- WHEREAS, the Mille Lacs Band possesses all the inherent sovereign rights of any independent Indian tribe, and
- WHEREAS, pursuant to the Indian Reorganization Act, the Mille Lacs Band became a member of the Minnesota Chippewa Tribe; however, the Mille Lacs Band retained all self-governing rights and only delegated to the Minnesota Chippewa Tribe those powers provided for in the Minnesota Chippewa Tribe Constitution, which does not include the power of the Minnesota Chippewa Tribe to have a court, and
- WHEREAS, the Mille Lacs Band retained the right to have a Court as an inherent right of self-government, and
- WHEREAS, the Tribal Executive Committee recognized the inherent right of the Mille Lacs Band to have an independent court system in Resolution 24-89, and
- WHEREAS, the Court of Central Jurisdiction for the Mille Lacs Band of Chippewa Indians has been developed under several grants from the Bureau of Indian Affairs, and
- WHEREAS, the Court of Central Jurisdiction has jurisdiction over civil and criminal matters pursuant to the statutes promulgated by the Mille Lacs Band, and
- WHEREAS, the Mille Lacs Band has an elaborate system of civil and criminal procedures and codified precise statutes regarding torts, contracts, evidence, civil rights, conservation violations, child welfare matters, criminal offenses, cultural offenses and other matters, and

- WHEREAS, the Mille Lacs Band has an Appellate Court of seven judges which hears appeals from the lower court, and
- WHEREAS, the Mille Lacs Band asserts that its Appellate Court is the only tribunal qualified to hear appeals from the District level of the Court of Central Jurisdiction, and
- WHEREAS, the Mille Lacs Band greatly resents being included in any court system designed by any other government, and
- WHEREAS, the Mille Lacs Band strenuously objects to having a representative appointed to the Minnesota Chippewa Tribe Appellate Court system who purports to represent the Mille Lacs Band.

NOW THEREFORE BE IT RESOLVED, that the Mille Lacs Band will not participate in the Minnesota Chippewa Tribe Appellate Court system.


BE IT FURTHER RESOLVED, that the Mille Lacs Band objects to any representative on the Minnesota Chippewa Tribe Appellate Court system who purports to represent Mille Lacs Band.

IN WITNESS WHEREOF, we, the Administrative Policy Board hereunto cause to have set the hand of the Chief Executive to be affixed to this resolution and forwarded to the Band Assembly for concurrence.

  
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Arthur Gahbow, Chief Executive

WE DO HEREBY CERTIFY, that the foregoing resolution was duly concurred with and adopted at a regular session of the Band Assembly in legislative council assembled, a quorum of Legislators being present, held on 24th day of January 1990, at Vineland, Minnesota by a vote of 3 FOR, 0 AGAINST, 0 SILENT.

In concurrence with the action of the Chief Executive, we, the Band Assembly hereunto cause to have set the signature of the Speaker of Assembly to this resolution.

  
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Margie Anderson, Speaker of Assembly