

PUBLIC NOTICE

The Tribe is placing the following proposed amendments out for a thirty (30) day comment period. Title 1 of the Tribal Code, Section 1.05.050 appointment of Trial and/or Special Judges, section 1.05.080 Qualifications of Trial/Special Judges, Section 1.05.100 Disqualification of Judges-conflict of interest; Section 1.05.110 Disqualification of Judges; procedure.

Title 13 of the Tribal Code, Section 13.07.020 – qualifications of Chief Clerk of Court, Section 13.07.040 – Qualifications. Associate Judge, Section 13.07.050 – Qualifications of Chief Judge.

The Tribe is placing the proposed Tribal Code amendments Title 1 and Title 13 in their entirety, out for a thirty (30) day comment period.

Copies of the proposed amendments are available for review on the Tribal Records Dept Facebook page, on the website at:

www.tmchippewa.com, or can be obtained in writing by request.

Written comments can be made in the comment section at

<https://tmchippewa.com/tribal-records/> and can also be submitted by mail to PO Box 900, Belcourt, ND 58316 or by fax at 477-0916. Please contact the Tribal Records Dept at 477-2602 if there are any questions.

RESOLUTION NUMBER **TMBC793-11-25** OF THE DULY ELECTED AND CERTIFIED GOVERNING BODY OF THE TURTLE MOUNTAIN BAND OF CHIPPEWA

WHEREAS, the Turtle Mountain Band of Chippewa Indians, hereinafter referred to as the Tribe, is an unincorporated Band of Indians acting under a revised Constitution and bylaws approved by the Secretary of the Interior on June 16, 1959, and amendments thereto approved; and

WHEREAS, Article IX (a) Section 1 of the Turtle Mountain Constitution and Bylaws empowers the Tribal Council with the authority to represent the Band and to negotiate with the Federal, State and local governments and with private persons; and

WHEREAS, Judicial Board recognizes the importance of updating the Tribal Code; and

WHEREAS, Judicial Board is requesting updates to Title 1, Appointment of Trial And/or Special Judges, Qualifications of Trial/Special Judges, Disqualification of Judges – Conflict of Interest and Disqualification of Judges; Procedure; and

WHEREAS, Judicial Board is requesting updates on Title 13, Qualifications Chief Clerk of Court, Qualifications Associate Judge and Qualifications Chief Judge; now

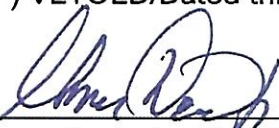
THEREFORE BE IT RESOLVED that the Tribe is authorizing a 30-day comment period for proposed changes to Title 1 and Title 13 of the Tribal Code.


CERTIFICATION

I, the undersigned Tribal Secretary of the Turtle Mountain Band of Chippewa Indians, do hereby certify that the Tribal Council is composed of **nine (9) members** of whom **six (6)** constituting a quorum were present at a meeting duly called, convened and held on the **25th day of November, 2025** that the foregoing resolution was adopted by an affirmative vote of **five (5) in favor** – Representatives Blaine “Slugger” Davis, Lynn Gourneau, Jon Jon Keplin, Ron Trottier Sr. and Chad Counts; three (3) absent-Chairman Jamie Azure; Reps. Craig Lunday and Kenneth Malaterre; none (0) opposed; with the Vice-Chairman not voting.


Joleen A. Morin, Tribal Secretary 12/2/25

() SIGNED INTO LAW/Dated this 3rd day of December, 2025
() VETOED/Dated this _____ day of _____, 2025


Elmer Davis Jr., Vice-Chairman


Jamie Azure, Tribal Chairman

Tribal Code Changes Approved by the Judicial Board – submitted to the Tribal Council

Title 1.05 – Creation, Jurisdiction, and Powers:

1.05.050 – Appointment of Trial And/Or Special Judges

- a) Trial Judges shall be appointed by the Judicial Board.
- b) Special Judges shall be requested by the Chief Judge of the Tribal Court to the Judicial Board, and appointed by the Judicial Board.
- c) A vacancy in the office of Chief Judge shall be filled through the manner outlined in Article XIV, Section 4 (e) of the Turtle Mountain Band of Chippewa Tribal Constitution.
- d) A vacancy in the office of the Associate Judge shall be filled through appointment by the Judicial Board.
- e) In the absence of a Judicial Board, vacancies in subsection (a), (b), (c), or (d) will be appointed by the Tribal Council.

1.05.080 – Qualifications of Trial/Special Judges

In order to be eligible to serve as a trial and/or special judge of the Turtle Mountain Tribal Court, a person must meet the following qualifications:

- a) Be twenty-five (25) years of age or older;
- b) Has not been convicted of a felony offense;
- c) Has not been convicted of a misdemeanor offense, excluding minor traffic offenses;
- d) Possess character and integrity acceptable under the Seven Teachings;
- e) Graduated from an accredited law school and be a member in good standing with a state bar association;
- f) Be capable of preparing documents and reports incidental to the office of judge;
- g) Be familiar with, and able to read and interpret the Turtle Mountain Tribal Code, as well as have an understanding of Federal and State law and court procedures; and
- h) Read, write, understand and speak the English language fluently.

1.05.100 – Disqualification of Judges – Conflict of Interest

Any judge shall be disqualified to act in any case in which he or she:

- a) Has an interest or bias (including financial interest or personal knowledge);
or
- b) Is or has been a material witness; or
- c) Is related to any party or a party's attorney by marriage or blood in the first or second degree; or
- d) Their action in the case would be in violation of the Judicial Code of Ethics enacted by the Judicial Board.

1.05110 – Disqualification of Judges; Procedure

A judge shall be disqualified by:

- a) His or her own motion disclosing the conflict; or
- b) Through the filing of an affidavit of prejudice by either party to the action.

Tribal Code Changes Approved by the Judicial Board – submitted to the Tribal Council

Title 13.07 – Qualifications of Candidates for Legislative and Judicial Office

13.07.030 – Qualifications. Chief Clerk of Court

To become a candidate for this elected position, a person must:

- a) Be an enrolled member of the Turtle Mountain Band of Chippewa Indians; and
- b) Be twenty-five (25) years of age or older; and
- c) Have not been convicted of a felony; and
- d) Have not been convicted of a misdemeanor, excluding minor traffic offenses; and
- e) Must reside within Rolette County; and
- f) Have a minimum of a four (4) year college degree, or a minimum of two (2) years of experience as a court clerk; and
- g) Have not been recalled from judicial office; and
- h) Furnish written proof for all requirements prior to having their name placed on the ballot.

13.07.040 – Qualifications. Associate Judge

To become a candidate for this elected position, a person must:

- a) Be an enrolled member of the Turtle Mountain Band of Chippewa Indians; and
- b) Be twenty-five (25) years of age or older; and
- c) Have not been convicted of a felony; and
- d) Have not been convicted of a misdemeanor, excluding minor traffic offenses; and
- e) Must reside within Rolette County; and
- f) Have a minimum of a four (4) year college degree; and
- g) Have not been impeached from judicial office; and
- h) Furnish written proof for all requirements prior to having their name placed on the ballot.

13.07.050 – Qualifications. Chief Judge

To become a candidate for an elected position, a person must:

- a) Be an enrolled member of the Turtle Mountain Band of Chippewa Indians;
and
- b) Be twenty-five (25) years of age or older; and
- c) Has not been convicted of a felony; and
- d) Has not been convicted of a misdemeanor, excluding minor traffic offenses;
and
- e) Must reside within Rolette County; and
- f) Must meet the educational/experience qualifications of either:
 - i. A Master's Degree in Criminal Justice, Legal Studies, or a Juris Doctor (JD); or
 - ii. A four (4) year degree in Criminal Justice, or Legal Studies AND two (2) years of experience as a tribal judge; and
- g) Must not have been impeached from judicial office; and
- h) Must furnish written proof for all requirements prior to having their name placed on the ballot.