
Articles published in the *Michigan Bar Journal* pertaining to American Indian Law:

2010

Bissett, Heinen, *In the Law: Keeping Current with American Indian Legal Resources* (Libraries and Legal Research), 89 Mich B J 48 (February 2010).

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M. Fletcher, Fort, Singel, *Indian Country Law Enforcement and Cooperative Public Safety Agreements*, 89 Mich B J 42 (February 2010).

Z. Fletcher, *Indian Gaming and Tribal Self-Determination: Reconsidering the 1993 Tribal-State Gaming Compacts*, 89 Mich B J 38 (February 2010).

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Betz, Budnick, *Labor and Employment Law and American Indian Tribes*, 83 Mich B J 15 (July 2004).

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S. Amy, *Patents and Taxes, and Poof! It's Gone*, 80 Mich B J 36 (May 2001).

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J. Petoskey, *Doing Business with Michigan Indian Tribes*, 76 Mich B J 440 (May 1997).

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Brandsky, *Report of the State Court and Tribal Court Forum*, 72 Mich B J 424 (May 1993).

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Wilson, *Indian Gaming and Economic Development on the Reservation*, 68 Mich B J 380 (May 1989).

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Brandsky, *The Political Status of Indian Tribes in Michigan*, 64 Mich B J 444 (May 1986).

Hood, *Return of the Laughing Whitefish* (An Account of the Keeweenaw Bay Indian Community Tribal Justice System) 64 Mich B J 400 (May 1986).

Levine, *The Indian Child Welfare Act: Federal Indian Law in State Probate Court Proceedings*, 64 Mich B J 452 (May 1986).

M. Petoskey, *The Fundamentals of Federal Indian Law*, 64 Mich B J 438 (May 1986).

TRIBAL COURTS

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- Bay Mills Indian Community ●
- Grand Traverse Band of Ottawa and Chippewa Indians ●
- Hannahville Indian Community ●
- Keweenaw Bay Indian Community ●
- Lac Vieux Desert Band of Lake Superior Chippewa Indians ●
- Little River Band of Ottawa Indians ●
- Little Traverse Bay Bands of Odawa Indians ●
- Match-E-Be-Nash-She-Wish Band of Pottawatomi (Gun Lake Tribe) ●
- Nottawaseppi Huron Band of Potawatomi Indians ●
- Pokagon Band of Potawatomi Indians ●
- Saginaw Chippewa Indian Tribe ●
- Sault Ste. Marie Tribe of Chippewa Indians ●

(Information as of January 2018)

DIRECTORY OF TRIBAL COURTS

Twelve federally recognized tribes in Michigan operate their own tribal courts; in addition, there is one inter-tribal court system. Tribal courts exercise exclusive jurisdiction over misdemeanors involving Indians and concurrent jurisdiction with the federal courts over felonies involving Indians that occur on reservations. Tribal courts have broad powers in matters involving the welfare of Indian children, pursuant to the Indian Child Welfare Act, 25 USC 1901 *et seq.* Tribal courts also have jurisdiction over a variety of civil matters involving both Indians and non-Indians when the activities in question occur on their reservations. For further information, contact a specific court listed below or Michigan Indian Legal Services, (800) 968-6877.

BAY MILLS INDIAN COMMUNITY

Tribal Office Address:

Bay Mills Indian Community Tribal Court, 12449 W Lakeshore Dr
Brimley, MI 49715, 906-248-8810/8811, FAX: 906-248-5817

Tribal Organization:

IRA government formed 1937

Constitution enacted 1937

Number of Council members—Government is by General Council composed of all tribal members 18 years of age or older. There are five members on the Executive Council who are officers of the tribe and exercise powers delegated by the General Council.

Tribal Council term of office — 2 years

Number of Tribal members — 2,129

Number of voting members — 1,510 18 years and older

Judicial Organization:

The court has one trial judge, one clerk. The trial judge is elected for a six-year term. Judges may run for reelection and there is no limit on time served. The appellate court consists of three judges who are also elected for staggered terms of six years. All judges are members of the tribe.

Current Personnel:

Chief Judge:	Bryan Newland
Appellate Judges:	Shannon Belk, Tamara Munz, Robert Passage
Deputy Clerk:	Denise A. Parish
Administrator:	Phyllis Kinney
Healing to Wellness Case Manager:	Leah Parish
Tribal Prosecutor:	Carol S. Andary
Assistant Prosecutors:	Kathryn L. Tierney Chad DePetro
Public Defender:	MILS-Daniel Casey
Probation Officer:	Terry E. Carrick

Territorial Jurisdiction:

The Tribal Court exercises civil and criminal jurisdiction over its reservation, which consists of 2,000 acres in Chippewa County, MI. Jurisdiction is also exercised regarding commercial and subsistence natural resource harvesting activities of enrolled members of the Bay Mills Indian Community within the 1836 Treaty ceded territory.

Requirements for Practicing Before Tribal Court:

To be admitted to practice before the Tribal Court, attorneys must provide proof of membership in good standing in the State Bar of their state of residence. Also, a court advocate (who is a member of the State Bar of Michigan) is available to be appointed to represent defendants charged with violating either major civil infractions or criminal offenses at the election of the defendant. Finally, lay advocates are admitted at the court's discretion.

Court Facilities:

Facilities include a courtroom, jury deliberation room, judge's chambers, clerk's office, and law library. The law library contains both primary and secondary legal authorities regarding tribal, state, and federal matters. Case and docket management is fully computerized.

Intergovernmental Agreements:

The tribe has an agreement with the Chippewa County Department of Social Services for emergency child welfare case investigations.

The tribe has a Law Enforcement Agreement between the Bay Mills Indian Community and the Chippewa County Sheriff's Department

of Treasury covering on-reservation transactions. The tribe also accepts and prosecutes alleged violations of the Chippewa-Ottawa Resource Authority Treaty Fishery Regulations referred to them by the Michigan Department of Natural Resources or other state law enforcement agencies (provision is contained within).

Adoption of Court Rule 105.1—Foreign Judgments and CRT Rule 105.2 Code of Ethical Conduct for Judges, CRT Personnel, Lawyers and Lay Advocates; 105.3—Court app. attorneys/advocates; 105.4—electronic signatures; 105.5—Motions in Civil Proceedings

Lein Agreement—State of Michigan

Laws and Procedures:

Tribal Constitution
Tribal Court Code (Chapters I-XVIII)
Tribal Ordinances
Tribal Hunting and Fishing Regulations
Chippewa-Ottawa Resources Authority Regulations based on U.S. District Court Consent Decree (including amendments and emergency orders)
Federal statutes, regulations, and caselaw (as may be applicable)

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS

Tribal Court Address:

Grand Traverse Band Tribal Court, 2605 N.W. Bay Shore Drive,
Peshawbestown, MI 49682 231-534-7050, Fax: 231-534-7051

Tribal Organization:

Government formed 1979
Tribal Council term of office — 4 years
IRA Constitution enacted 1988
Number of Tribal members — approximately 4,000
Number of Tribal Council members — 7

Judicial Organization:

The Tribal Judiciary is a separate, independent branch of tribal government. The Tribal Court judges (chief judge and associate judge) are appointed by the Tribal Council to four-year terms; the three Tribal Appellate Court judges are appointed by the Tribal Council to six-year terms.

Current Tribal Court Personnel:

Chief Judge:	Tanya S. Wanageshik
Associate Judge:	Michael J. Long
Chief Appellate Judge:	Mary Roberts
Appellate Judges:	Matthew L.M. Fletcher Quinton Walker Sherri Vezina
Court Administrator:	
Program Director/ Court Clerk:	Vacant
Court Clerk/Baliff:	Eric Placer
Court Clerk/Assistant/ Probation Officers:	Natasha Anderson, Veronica Wilson
Peacemaker:	Paul Raphael
Coordinated Community Response Project Dir.:	Yvette Weese
Court-Appointed Attorneys:	Peter Shumar, A. Brooks Darling, James Aprea, Cheryl Gore Follette

Territorial Jurisdiction:

The Grand Traverse Band Tribal Court exercises jurisdiction pursuant to the Constitution and Tribal Code. The Grand Traverse Band of Ottawa and Chippewa Indians tribal government is based on the reservation located in Peshawbestown, Michigan, but the tribe has trust property and tribally owned lands within the tribe's six-county service area of Antrim, Benzie, Charlevoix, Grand Traverse, Leelanau, and Manistee counties.

Requirements for Practicing Before Tribal Court: Attorneys licensed in any state may practice before the Tribal Court. Tribal lay advocates with sufficient knowledge of the Tribal Constitution and Tribal Code may also practice before the court.

Intergovernmental Agreements:

The Grand Traverse Band has mutual assistance (cross-deputization) agreements for law enforcement with Antrim, Benzie, Charlevoix, and Leelanau counties, and also has agreements for jail space within each of those counties.

The Grand Traverse Band is a member of Chippewa-Ottawa Resource Authority (CORA), which regulates Great Lakes fishing by tribal members pursuant to a consent decree with the state of Michigan. The Grand Traverse Band also recently reached a consent degree agreement with the state of Michigan concerning regulation of inland hunting and fishing.

The Tribal Judiciary has adopted court rules (Chapter 10 of the GTBCR) regarding enforcement of foreign judgments that have been filed and recognized by the State Court Administrator's Office pursuant to MCR 2.615.

The Tribal Court has an informal agreement with the 13th Circuit Court regarding referral of Friend of the Court, custody, support, and visitation matters.

Law and Procedures:

The Tribal Judiciary is governed by the provisions of the Grand Traverse Band of Ottawa and Chippewa Indians Constitution, and the Grand Traverse Band Code. See <http://www.narf.org/nill/Codes/gtcode/index.htm> for the most current Tribal Constitution and Tribal Code.

The Tribal Judiciary has adopted the Grand Traverse Band Tribal Court Rules (GTBCR). Copies of the court rules may be requested from the Court Clerk.

HANNAHVILLE INDIAN COMMUNITY

Tribal Office Address:

Hannahville Indian Community, N14911 Hannahville B-1 Rd, Wilson, MI 49896, 906-723-2696, FAX: 906-466-7377

Tribal Organization:

IRA government formed June 27, 1936 pursuant to 48 Stat. 981
 Constitution enacted July 23, 1936
 Number of Council members—12
 Tribal Council term of office—3 years
 Number of Tribal members—918

Judicial Organization:

The Tribal Court judge is appointed by the Tribal Council for a three-year term. The Appellate Court consists of five members selected from the Tribal Council who are not related to any of the parties.

Current Personnel:

Chief Judge: Thomas L. Smithson
 Court Clerk: Jeanne Meshigaud
 Tribal Prosecutor: Robert E. LeMire Jr.
 Tribal Defender: Michael J. Manning
 Magistrate/Admnr.: Audrey C. Gamez
 Probation Officer/Bailiff: Henry L. Williams Sr.
 Tribal Youth Worker: Jolene Shepherd

Territorial Jurisdiction:

The Tribal Court exercises jurisdiction within the reservation boundaries of the Hannahville Indian Community, which encompasses 5,832 acres in Delta and Menominee counties, MI.

Requirements for Practicing Before Tribal Court:

Currently, any person may practice before the Tribal Court upon request.

Court Facilities:

Court is located in the Administration Bldg. A law library containing Michigan, tribal, and federal volumes is housed in the court room.

Intergovernmental Agreements:

Tribal government has enacted court rules granting recognition to foreign judgements.

KEWEENAW BAY INDIAN COMMUNITY

Tribal Office Address:

Keeweenaw Bay Indian Community, 16429 Bear Town Rd, Baraga, MI 49908, 906-353-7031

Tribal Organization:

IRA government formed 1936
 Constitution enacted November 7, 1936
 Number of Council members—12
 Tribal Council term of office—3 years
 Number of Tribal members— 3,529

Judicial Organization:

Trial Court elected by tribal membership. Appellate Court (separate appellate court).

Current Personnel:

Chief Judge: Bradley Dakota
 Associate Judge: Violet M. Friisvall
 Chief Clerk/Magistrate: Lauri Denomie
 Deputy Clerk: Emily Evans
 Tribal Prosecutor: Dan MacNeil
 Probation Officers: Alan Rajacic
 Holley Makela
 Child Support Services: Kristin Olsen
 Juvenile Justice Worker: William Kirchhofer
 Court Advocate: Doreen Blaker

Territorial Jurisdiction:

1854 Treaty reservation boundaries encompassing 51,000 acres in Baraga County, MI and Marquette, MI.

Number of Cases Handled During 2011:

Criminal—360 Juveniles—17
 Civil—77 Appeals—1
 Child and Families—2

Requirements for Practicing Before Tribal Court:

Only members of KBIC Advocate Association.

Court Facilities:

Courtroom, clerk's office, judge's chambers, law library, probation/ Friend of the Court office, and court advocate office.

Intergovernmental Agreements:

Cross-deputization with Marquette County Sheriff Department. Adoption of Section 9.104—Full Faith and Credit; Chapter 2.4, including sections 2.402 and 2.403.

Laws and Procedures:

Comprehensive set of civil and criminal substantive and procedural codes.

LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

Tribal Office Address:

Lac Vieux Desert Band of Lake Superior Chippewa Indians
PO Box 39, Watersmeet, MI 49969, 906-358-0330

Tribal Organization:

IRA government formed 1988 pursuant to Pub L.
Constitution enacted 1992
Number of Council members—9
Tribal Council term of office—2 years
Number of Tribal members—671

Judicial Organization:

Chief judge, one associate judge, and one magistrate is appointed by Tribal Council for a term of six years. Appellate Court is composed of other judges by contract.

Current Personnel:

Chief Judge:	Mark Esqueda
Associate Judge:	Vacant
Magistrate:	Vacant
Court Clerk/Administrator:	Howard Caron
Tribal Prosecutor:	Ken Akini
Tribal Community Attorney:	Ken Akini
Probation Officer:	Don Nordstrom
Receptionist/Secretary:	Laura McElhinney

Territorial Jurisdiction:

Tribal lands

Number of Cases Handled During 2015:

Child and family—25 Civil—52 Criminal—50 Juvenile—5

Requirements for Practicing Before Tribal Court:

Tribal Court Rule 1.500

Court Facilities:

Courtroom housed with Education Center and Legal Department.

Intergovernmental Agreements:

Adoption of Court Rule 10.000—Enforcement of Foreign Court Judgments.

Laws and Procedures:

Tribal Constitution	Mental Health Code
Criminal Code	Traffic Code
Rules of the Court	Children's Code
Conservation Code	Landlord and Tenant Code
Business Corporation Code	Judicial Ordinance
Domestic Violence Code	Vehicle Code
Enrollment Ordinance	

LITTLE RIVER BAND OF OTTAWA INDIANS

Tribal Court Address:

3031 Domres Rd, Manistee MI 49660, 231-398-3406
FAX: 231-398-3404

Tribal Organization:

Federal Recognition (Reaffirmed in 1994)
Constitution adopted on May 27, 1998, amended August 24, 2016
Number of Council Members: 9
Term of Office – staggered every 2 or 4 years
Number of Tribal Members – approximately 4,000

Judicial Organization:

The Tribal Judiciary is a separate, independent branch of the Little River Band of Ottawa Indians. The Judiciary consists of the chief judge, one associate judge, and three appellate justices. Judges are an elected position and serve six-year terms.

Court Personnel:

Chief Judge:	Daniel Bailey
Associate Judge:	Angela Sherigan
Appellate Judges:	Melissa L. Pope Joseph LaPorte Berni Carlson
Court Administrator:	Deborah Miller
Court Clerk:	Vacant
Court Clerk:	Laurie Willis
Director of Peacemaking:	Patrick Wilson
Probation Officer:	Martha Howell

Territorial Jurisdiction:

The Little River Band of Ottawa Indians Tribal Court exercises jurisdiction over Indian Child Welfare matters and juvenile justice matters within its nine-county service area. The court adjudicates civil matters that are brought to the court by tribal members or involving tribal members, and criminal cases brought to the court by the Prosecuting Attorney's office.

Requirements for Practicing Before Tribal Court:

Attorneys licensed to practice in any state and members of the state or federal bar are eligible to practice. The attorney must file an application with the court and be approved by the chief judge.

Court Facilities:

The Tribal Justice Center is occupied by the Department of Public Safety, the Prosecutor's office, and Peacemaking and Tribal Court.

Intergovernmental Agreements:

Cross-deputized with the Bureau of Indian Affairs, state of Michigan (limited), and U.S. Coast Guard federal arrests in 1836 Treaty areas on Great Lakes

Laws and Procedures:

All ordinances can be found online at www.lrboi-nsn.gov

LITTLE TRAVERSE BAY BANDS OF ODAWA INDIANS

Tribal Court Office Address:

Mailing address: 7500 Odawa Circle, Harbor Springs, MI 49740
Physical address: 911 Spring Street, Petoskey, MI 49770
Phone: 231-242-1462 FAX: 231-242-1470
www.ltbbodawa-nsn.gov

Tribal Organization:

Federal Recognition (Reaffirmed September 21, 1994)
IRA government formed 1994
Constitution adopted September 11, 2005
Legislative Branch: 9 Tribal Council Members
Executive Branch: Chairperson and Vice Chairperson
Number of Tribal members: 3,835

Judicial Organization:

The Tribal Judiciary is a separate independent branch of tribal government. The Tribal Court judge(s) are appointed by the Tribal Council to a four-year term and the Appellate Court judges for six-year terms per tribal constitution.

Current Tribal Court Personnel:

Chief Judge:	Allie Greenlef Maldonado
Associate Judge:	Vacant
Appellate Justices:	Wenona Singel Catherine Castagne William Denemy
Court Administrator:	Vacant
Sr. Court Clerk:	Cynthia Brouckaert
Court Clerk I:	Chloie Stead
Probation Officer:	Heather Boening
Cultural Advisor:	Anthony Davis
Admin Assistant:	Joetta Gasco
DV Coordinator:	Gregory Justice
Office Manager:	Celestine Petoskey

Requirements for practicing before Tribal Court:

Attorneys licensed in any state and in good standing may practice. Tribal lay advocates who have knowledge of the tribal constitution and codes are also permitted to practice upon approval.

Laws and Procedures:

Tribal Constitution
Waganakising Odawak Tribal Codes
Recognition and Enforcement of Foreign Court Judgment Court Rules
Appellate Procedures Court Rules
Jury Selection

MATCH-E-BE-NASH-SHE-WISH BAND OF POTTAWATOMI INDIANS (GUN LAKE TRIBE)

Tribal Heritage:

The Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians (Gun Lake Tribe) is part of the historic Three Fires Confederacy, an alliance of the Pottawatomi (Bodewadmi), Ottawa (Odawa), and Chippewa (Ojibwe). Tribal Nations in the Great Lakes region are also known as the Neshnibek, or original people.

Tribal Court Address:

2873 Mno Bmadzewen Dr., Shelbyville, MI 49344
Phone: 269-397-1630 Fax: 269-397-1631
Website: <https://gunlaketribe-nsn.gov>

Tribal Organization:

- Federal Recognition on August 23, 1999
- Constitution Adopted in 2000
- Number of Council Members:7–These popularly elected candidates will have authority over all affairs of the tribe and its subsidiaries.

Judicial Organization:

The Tribal Judiciary is a separate independent branch of tribal government. The Tribal Court consists of one chief judge, three Supreme Court justices, and one prosecutor. These positions are to be elected by the Tribal Council and shall serve for a pre-determined term.

Tribal Court Personnel:

Chief Judge: Michael Petoskey
Supreme Ct. Justice: Matthew L.M. Fletcher
Supreme Ct. Justice: Eldena Bear Don't Walk
Supreme Ct. Justice: Andrew Adams III
Court Administrator: Amanda L. Sprague
Court Clerk: Callie L. Weick
Court Clerk: Ryan M. TenBrink

Territorial Jurisdiction:

The Tribal Court has authority over general jurisdictional matters and actions that arise under the Tribal Constitution and laws of the Band. The Tribal Court exercises both criminal and civil jurisdiction over various parcels of land throughout West Michigan which are held in trust by the United States government. In addition, the Tribal Court exercises jurisdiction over Indian Child Welfare matters throughout its five-county service area which includes Allegan, Barry, Kalamazoo, Kent, and Ottawa counties.

Requirements for Practicing Before Tribal Court:

The Tribal Court admits attorneys who are licensed to practice in any state and who are said to be in good standing. All applicants for admission must complete an Application and Affidavit for Admission to Practice, an Affidavit and Oath of Admission, and must be duly admitted to practice before Tribal Court. These forms can be downloaded from our website at <https://gunlaketribe-nsn.gov/data/upfiles/media/87.pdf> and <https://gunlaketribe-nsn.gov/data/upfiles/media/172.pdf>. The application fee of \$75 is made payable to the Gun Lake Tribal Court.

Intergovernmental Agreements:

- State of Michigan tax agreement and amendments
- Cross-deputization agreements of law enforcement within the five-county service areas: Allegan, Barry, Kalamazoo, Kent and Ottawa counties.

Laws and Procedures of the Court:

- Tribal Constitution adopted in 2000
- Tribal Codes and Ordinances
- Index of Tribal Court Rules:
 - o Chapter 1, Procedures for the Adoption of Tribal Court Rules
 - o Chapter 2, Court Rules of Judicial Conduct
 - o Chapter 3, Court Rules of Ethics for Tribal Court Personnel
 - o Chapter 4, Court Rules for Professional Responsibility
 - o Chapter 5, Court Rules of Civil Procedure
 - o Chapter 6, Court Rules for Small Claims
 - o Chapter 7, Court Rules of Evidence
 - o Chapter 8, Court Rules for the Recognition of Foreign Judgments
 - o Chapter 9, Court Rules of Appellate Procedure
 - o Chapter 10, Court Rules for Restraining Orders
 - o Chapter 11, Court Rules of Jury Procedure
 - o Chapter 12, Court Rules of Criminal Procedure

Additionally, copies of the laws, court rules, administrative orders, and opinions of the court are posted and available on the Gun Lake Tribe website at <https://gunlaketribe-nsn.gov>, Departments, Tribal Justice, and Tribal Court.

NOTTAWASEPPI HURON BAND OF THE POTAWATOMI

Nottawaseppi Huron Band of the Potawatomi Indians

Tribal Court Address:

Nottawaseppi Huron Band of the Potawatomi Tribal Court
2221 1 ½ Mile Road, Fulton, MI 49052
Phone: 269-729-5151 FAX: 269-729-5920

Tribal Organization:

Federal Recognition: December 19, 1995
Constitution Adopted: September 8, 1979;
Amended January 28, 2012

Number of Council Members: 5

Tribal Council Term of Office: 4 years; staggered terms

Number of Tribal Members: 1,104

Judicial Organization:

The Tribal Court is a separate, independent branch of the Nottawaseppi Huron Band Tribal Government, as established in Article 11 of the Tribal Constitution. The Tribal Judiciary as set forth in Article 11 consists of a chief judge of the Tribal Court and a Tribal Supreme Court with one chief justice and two associate justices.

Judicial Appointments:

Tribal Court: Chief Judge: Melissa L. Pope (P55328)

Supreme Court:

Chief Justice: John Wabaunsee (WI atty #1003294)

Associate Justices: Matthew L.M. Fletcher (P61593)

Holly K. Bird (P68122)

Court Staff:

Tribal Ct Admr: Fred Jacko

Assistant Tribal Ct Admr: Dawn Mack

Peacekeeping Program

Coordinator: Vacant

Probation Officer: Vacant

Jurisdiction: The Tribal Court is a court of general jurisdiction having authority over actions arising under the Tribal Constitution and under the laws, ordinances, and codes of the tribe. The tribe exercises criminal and civil jurisdiction over 199 acres held in trust for the tribe by the United States. There are 120 acres at the Pine Creek Reservation, which includes tribal housing and administrative offices. In addition, the casino site consists of 79 acres.

Requirements for Practicing Before Tribal Court:

Attorneys licensed in any state and in good standing may practice by submitting an Application for Admission, Oath of Admission, and Admission to Practice fee. Admission to practice includes the Tribal Court and the Supreme Court. The applicable forms can be found on the Tribal Court website at www.nhbpi.com.

Intergovernmental Agreements:

- "Statutory Recognition and Enforcement of Foreign Judgments Ordinance" adopted November 6, 2007. The ordinance provides for the recognition and enforcement of foreign orders and judgments from the state of Michigan and other jurisdictions that provide reciprocity to the Tribal Court. To implement this ordinance, the Tribal Court adopted: Court Rules for Recognition of Foreign Court Actions, Warrants and Subpoenas, as Chapter 8, on September 30, 2008.
- "Amended and Restated Agreement for Firefighting, First Responder Rescue Services and Law Enforcement Services" adopted October 2, 2008. This agreement allows for Emmett Township in Calhoun County to provide emergency services to the tribe's casino property.

Laws and Procedures:

Tribal Constitution, Amended January 28, 2012.

Tribal laws, ordinances, and codes as adopted by the Tribal Council and posted on the Tribal Government website.

Tribal Court rules, administrative orders, and court opinions can be found on the Tribal Court website at www.nhbpi.com

Index of Court Rules:

- Chapter 1, Procedures for the Adoption of Tribal Court Rules

- Chapter 2, Court Rules of Judicial Conduct
- Chapter 3, Court Rules of Ethics for Tribal Court Personnel
- Chapter 4, Court Rules for Professional Responsibility
- Chapter 5, Court Rules of Civil Procedure
- Chapter 6, Court Rules for Small Claims
- Chapter 7, Court Rules of Evidence
- Chapter 8, Court Rules for the Recognition of Foreign Judgments
- Chapter 9, Court Rules of Appellate Procedure
- Chapter 10, Court Rules for Restraining Orders
- Chapter 11, Court Rules of Jury Procedure
- Chapter 12, Court Rules of Criminal Procedure

POKAGON BAND OF POTAWATOMI INDIANS

Tribal Court Address:

Pokagon Band of Potawatomi Indians Tribal Court
58620 Sink Rd, PO Box 355, Dowagiac, MI 49047
Phone: 269-783-0505 Fax: 269-783-0519

Tribal Organization:

Federal recognition reaffirmed in 1994

Constitution adopted in 2005

Number of Council Members – 11

Tribal Council term of office – to serve staggered three-year terms

Number of Tribal members – 5,297

Judicial Organization:

The Tribal Judiciary is a separate, independent branch of the Pokagon Band government. The Tribal Court Judiciary consists of the chief judge, one associate judge, and three appellate court justices. All judges are appointed by the Tribal Council to serve staggered four-year terms.

Judges:

Tribal Court:

Chief Judge: Michael Petoskey (P37386)

Associate Judge: David M. Peterson (P18834)

Court of Appeals:

Chief Justice: Robert T. Anderson (WA 30206)

Associate Justices: Matthew L. M. Fletcher (P61593)

Jill E. Tompkins (ME 6901)

Court Staff:

Court Administrator: Stephen H. Rambeaux (P54024)

Assistant Ct. Admr/

Clerk of the Courts: Stacey Gettig

Court Clerk: Donna Walls

Territorial Jurisdiction:

The Tribal Court is a court of general jurisdiction and has jurisdiction over actions arising under the Tribal Constitution and laws of the Band. The Tribal Court exercises both criminal and civil jurisdiction over various parcels of land held in trust for the Band by the United States in Michigan and Indiana totaling 3,361 acres. In addition, the Pokagon Band exercises jurisdiction over Indian Child Welfare matters within its service area, which consists of Allegan, Berrien, Cass, and Van Buren counties in Michigan and Elkhart, Kosciusko, La Porte, Marshall, St. Joseph, and Starke counties in Indiana.

Requirements for Practicing Before Tribal Court:

The Tribal Court admits attorneys who are licensed to practice in any state and who are in good standing to practice before the Tribal Court. Each applicant for admission must complete an Application for Admission to Practice, an Oath of Admission, and must be duly admitted to practice. Admission to practice before the Tribal Court is deemed admission to practice before the Appellate Court. The Application for Admission to Practice and Oath of Admission are available on the Pokagon Band of Potawatomi Indians website at www.pokagonband-nsn.gov/tribalcourt.htm.

Intergovernmental Agreements:

- State of Michigan tax agreement and amendments.
- Cross-deputization agreements of law enforcement with each of the counties of Berrien, Cass, and Van Buren.
- Unless the limited circumstances where federal law mandates "full faith and credit" recognition and enforcement are present, tribal laws,

court rules, and administrative orders provide for “comity” recognition and enforcement of foreign judgments, orders, subpoenas, and warrants from states, tribal courts, and courts of foreign countries.

- However, state of Michigan judgments, orders, subpoenas, and warrants are presumed to be valid (along with other states, tribal courts, and foreign countries that provide reciprocal recognition and enforcement of Pokagon Band Tribal Court judgments, orders, subpoenas, and warrants).

Laws and Procedures:

- Tribal Constitution adopted in 2005
- Tribal Codes and Ordinances
- Pokagon Band Tribal Court Rules
 - Chapter 1, Court Rules of Adoption and Publication for Public Comment
 - Chapter 2, Reserved for Rules of Civil Procedure
 - Chapter 3, Court Rules for Civil Infractions
 - Chapter 4, Rules of Evidence
 - Chapter 5, Court Rules of Appellate Procedure
 - Chapter 6, Court Rules for Recognition of Foreign Court Actions
 - Chapter 7, Court Rules for Small Claims
 - Chapter 8, Court Rules for Judicial Conduct
 - Chapter 9, Court Rules of Ethics for Tribal Court Personnel
 - Chapter 10, Court Rules for the Appointment of Counsel
 - Chapter 11, Court Rules of Professional Conduct for Attorneys

Copies of the laws, court rules, administrative orders, and opinions of the court are posted and available on the Pokagon Band website at www.pokagonband-nsn.gov, Tribal Court, and Tribal Government links.

SAGINAW CHIPPEWA INDIAN TRIBE

Operations Address:

7070 E Broadway, Mt. Pleasant, 48858, 989-775-4000

Court Address: 6954 E Broadway, Mt. Pleasant, 48858, 989-775-4800

Tribal Organization:

IRA government formed 1937
 Constitution enacted 1937; amended 1986
 Number of Council members—12
 Tribal Council term of office—2 years
 Number of Tribal members—
 1,699 within reservation boundaries
 1,906 outside reservation boundaries
 3,605 Total

Judicial Organization:

The Tribal Council appoints one chief judge, one associate judge, one magistrate, and one prosecutor. A three-person panel makes up the appellate court.

Current Personnel:

Chief Judge:	Patrick M. Shannon
Assoc. Judge:	Vacant
Sr. Judge:	Prentiss Brown
Appellate Judges:	Andrew Pyatskowitz Robert Kittecon Dennis Peterson
Magistrate:	Carol Jackson
Business Manager:	Aaron Graveratte
Deputy Clerk/Appellate Clerk:	LuAnn Louch
Deputy Court Clerks:	Christina DeLaCruz Kelly Smith Vacant Vacant
Probation Officers:	Jennifer Wassegijig Cathy Matthews
Alt. Sentencing Coordinator/ Bailiff:	Joseph Hudson
Tribal Prosecutor:	Graham Leach
Prosecutor’s Assistant:	Daisy Kostus
Victim’s Advocates:	Mandy Wigen Amber Shepard

Territorial Jurisdiction:

The Tribal Court exercises jurisdiction over its reservation lands encompassing 138,240 acres in Isabella County and 110 acres in Arenac County, MI.

Requirements for Practicing Before Court:

Attorneys in good standing of the Bar of any state or federal court are eligible to practice before the Tribal Court upon demonstrating a familiarity with the Tribal Code.

Court Facilities:

The Public Safety Bldg was opened in 1996 and includes a courtroom, jury deliberations room, magistrate’s hearing room, probation department, prosecutor’s department, general court offices, law library, and staff offices.

Intergovernmental Agreements:

All Tribal police officers are cross-deputized by the Isabella County sheriff, MI State Police, and Mt. Pleasant City Police. Adoption of Chapter 4.2 and section 4.102—Full Faith and Credit.

Laws and Procedures:

Tribal Constitution	Court Rules & Regulations
Tribal Codes & Ordinances	Children’s Code
Evidence Code	Civil Code
Gaming Code	Criminal Code
Judgment & Execution Code	Probate Code
Land Use and Other Codes	

SAULT STE. MARIE TRIBE OF CHIPPEWA INDIANS

Tribal Office Address:

Sault Ste. Marie Chippewa Tribal Court,
 2175 Shunk, Sault Ste. Marie, MI 49783, 906-635-4963
www.SaultTribe.com

Tribal Organization:

IRA government formed 1975
 Constitution enacted 1975
 Number of Council members—13
 Tribal Council term of office—4 years
 Number of Tribal members—40,325

Judicial Organization:

Tribal Court consists of one chief judge who is appointed by the Tribal Board of Directors. The appellate court consists of one chief judge and four associate judges who are appointed by Tribal Board of Directors.

Current Personnel:

Chief Judge:	Jocelyn K. Fabry
Court Admnr./Magistrate:	Traci L. Swan
Appellate Court Chief Judge:	Karrie Wichtman
Appellate Judges:	Rick Corbiere Elisabeth Dietz Jay Finch Lori Jump
Deputy Court Clerk:	Alicia Roy
Specialty Ct. Coordinator:	Patrick McKelvie
Tribal Prosecutors:	Jennifer Sheldon Dennis McShane
Probation Officers:	Ryan Wilson Samantha Masterson

Territorial Jurisdiction:

The Tribal Court exercises jurisdiction over its reservation lands, which are spread in a checkerboard fashion throughout seven counties in the Upper Peninsula.

Number of Cases Filed During 2017:

Criminal Division—84	Child welfare—24	Juvenile—13
Conservation—250	Traffic—8	VAWA—7
Civil—291	Appeals—3	Adoptions—12

Requirements for Practicing Before Tribal Court:

An application for admission to practice for attorneys is available from the court clerk. Each applicant must certify that they are in good standing with the State Bar of Michigan. Lay advocates are admitted upon completion of an application process.

Continued on next page

Court Facilities:

There is a formal courtroom in Sault Ste. Marie. Hearing rooms are used in outer-county service areas.

Intergovernmental Agreements:

Mutual law enforcement agreements exist with six county departments and four municipalities where reservation lands are located. The tribe has adopted Chapter 86— Enforcement of Foreign Court Judgments.

Special Note:

The Tribal Court has enacted Chapter 85: Tribal Tort Claims Ordinance. In this ordinance, the tribe has limited waiver of its sovereign immunity. This ordinance provides the exclusive means of recovering compensation for personal injury or property damage caused by the tribe. Claims must be presented within six months.

Laws and Procedures:

- Animal Control
- Appeals
- Child Welfare Code
- Civil Procedure
- Civil Remedial Forfeiture
- Crime Victims Rights
- Criminal Offenses
- Criminal Procedure
- Election Ordinance
- Enforcement of Foreign Court Judgments

- Evictions and Foreclosures
- Gaming Ordinance
- Garnishment Ordinance
- Guardianship Ordinance
- Hunting and Inland Fishing
- Juvenile Code
- Land Use
- Marriage Ordinance
- Membership Ordinance
- Motor Vehicle Code
- Personal Protection
- Treaty Fishing Rules and Regulations
- Tribal Environmental Protection Authority
- Tribal Tort Claims Ordinance
- Workers Compensation Code


In December 2016, the Board of Directors approved amendments to the Tribal Code, Chapter 70, that implemented Tribal Court jurisdiction over non-natives under the Violence Against Women Act. These amendments recognized Sault Tribe’s inherent power to exercise “special domestic violence criminal jurisdiction” (SDVCJ) over certain defendants, regardless of their Indian or non-Indian status, who commit acts of domestic violence or dating violence or violate certain protection orders on tribal lands.

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