

APPENDIX II

DIRECTORY OF TRIBAL COURTS

BAY MILLS INDIAN COMMUNITY

1. Tribal Office Address: Bay Mills Indian Community
Route One, Box 313
Brimley, Michigan 49715

phone number: (906) 248-3241

2. Tribal Organization

a) IRA government formed in: 1937

b) Constitution enacted in: 1937

c) Number of Council Members: Government is by General Council, composed of all tribal members 18 years of age or older. There are 5 members on the Executive Council, who are officers of the Tribe and exercise powers delegated by the General Council.

d) Tribal Council Term of Office: 2 years

3. Number of tribal members: 961

4. Tribal Court Address: Route One, Box 313
Brimley, Michigan 49715

phone number: (906) 248-3241

5. Judicial Organization

The Court has one trial judge and one clerk-magistrate, who are elected for two years. 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 two year terms. All judges are members of the Tribe.

6. Current Personnel

Chief Judge: Lynda Parrish, Trial Judge

Associate Judge(s): Armella B. Parker
Clerk-Magistrate

Ct Clerk: Armella B. Parker

Tribal Prosecutor: Kathryn L. Tierney

Others: Deputy Clerk: Denise Parish
Appellate Judges: Julie A. Timmer, Walter
Parish, Carrie Kuzmik

7. Territorial jurisdiction

The Tribal Court exercises civil and criminal jurisdiction over its Reservation, which consists of 2000 acres in Chippewa County, Michigan. The Chippewa/Ottawa Conservation Court sits at Bay Mills and adjudicates treaty fishing violations for the Bay Mills Indian Community and Sault Ste. Marie Tribe within the 1836 Treaty session area.

8. Number of cases handled during 1991

Criminal: 6

Civil: 24

Delinquency: 21

Traffic: 125

Child and family: 21

Appeals: 4

9. 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. Lay advocates are also admitted at the Court's discretion.

10. Court facilities

All cases are heard in the Tribal Courtroom, located in the Tribal office complex on Lakeshore Drive, Brimley, MI. The Court library contains federal and state statutes, Michigan case reporters and United States Law Week.

11. Inter-governmental agreements

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

12. Laws and procedures

Tribal Constitution
Tribal Court Code (Chapters I-XIV)
Tribal ordinances

GRAND TRAVERSE BAND OF OTTAWA AND CHIPPEWA INDIANS

1. Tribal Office Address: Grand Traverse Band of Ottawa and
Chippewa Indians
Route #1 Box 135
Suttons Bay, MI 49682

phone number: (616) 271-3538

2. Tribal Organization

- a) IRA government formed in:
- b) Constitution enacted in: 1988
- c) Number of Council Members: 7
- d) Tribal Council Term of Office: 4 years

3. Number of tribal members: 2000

4. Tribal Court Address: Route #1 Box 135
Suttons Bay, MI 49682

phone number: (616) 271-3538

5. Judicial Organization

Tribal judiciary is a separate, independent branch of tribal government. The judges are appointed by the Tribal Council to for 4 year term. There is one chief judge and a three member appellate court.

6. Current Personnel

Chief Judge: Michael D. Petoskey

Appellate Judge(s): Gregory Blanche
Ronald Douglas
Quintin Walker

Ct Administrator: Mary Ann Antoine

Tribal Prosecutor: Bill Gregory

Ct. Clerk: Charles DeVerney, Cary Gould

7. Territorial jurisdiction

The Tribe exercises criminal and civil jurisdiction within the boundaries of its reservation lands encompassing 250 + acres in Leelanau County, Michigan. It exercises jurisdiction over juvenile matters arising within its service area of Antrim, Charlevoix, Grand Traverse, Leelanau, and Benzie Counties, Michigan.

8. Number of cases handled during 1991

Criminal: 68

Civil: 46

Delinquency: 6

Traffic: 0

Child and family: 19

Appeals: 0

9. Requirements for practicing before Tribal Court

Attorneys licensed in any state may practice before Tribal court. Tribal lay advocates who have knowledge of the Tribal constitution and codes are also used.

10. Court facilities

Court is held in 40' x 50' courtroom, that includes a jury box and bench, in tribal center. Facilities also include a law library specializing in federal Indian law materials, and court office.

11. Inter-governmental agreements

12. Laws and procedures

Tribal Constitution
Combined Childrens', Juvenile and Adoption Code
Criminal Code
Conservation Code

HANNAHVILLE INDIAN COMMUNITY

1. Tribal Office Address: Hannahville Indian Community
N14911 Hannahville B-1 Road
Wilson, Michigan 49896

phone number: (906) 466-2932

2. Tribal Organization

- a) IRA government formed: June 27, 1936 pursuant to 48 Stat. 981.
- b) Constitution enacted: July 23, 1936
- c) Number of Council Members: 12
- d) Tribal Council Term of Office: 1 year

3. Number of tribal members: 350

4. Tribal Court Address: Hannahville Indian Community
N14911 Hannahville B-1 Road
Wilson, Michigan 49896

phone number: (906) 466-2342

5. 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.

6. Current Personnel

Chief Judge: Wesley T. Martin, Jr.

Ct Clerk: Sharon Philemon

Tribal Prosecutor: Dawn S. Duncan

Others: Magistrate: Audrey C. Gamez

7. Territorial jurisdiction

The Tribal Court exercises jurisdiction within the reservation boundaries of the Hannahville Indian Community which encompasses 4,000 acres in Delta and Counties, Michigan.

8. Number of cases court handled during 1991

Criminal: 600

Civil: 77

Delinquency: 36

Traffic: 137

Child and family: 6

Appeals: 2

9. Requirements for practicing before Court

Currently, any person may practice before the Tribal Court upon request. The Tribe is in the process of developing a training program for lay advocates.

10. Court facilities

Court is now held in the Tribal Community Center. A law library containing Michigan, tribal and federal volumes is housed in the Tribal administration headquarters. New courtroom facilities have been designed and are scheduled to begin construction.

11. Inter-governmental agreements

Lodging and jurisdiction agreements with local law enforcement agencies, and the Tribal government has acted to give full faith and credit in the matter of child support.

KEWEENAW BAY INDIAN COMMUNITY

1. Tribal Office Address: Keweenaw Bay Indian Community
Rt 1 Box 45
Baraga, MI 49908

phone number: (906) 353-6623

2. Tribal Organization

- a) IRA government formed in: 1936
- b) Constitution enacted in: November 7, 1936
- c) Number of Council Members: 12
- d) Tribal Council Term of Office: 3 years

3. Number of tribal members: 2871

4. Tribal Court Address: Keweenaw Bay Indian Community
Rt 1 Box 45
Baraga, MI 49908

phone number: (906) 353-6623

5. Judicial Organization

Trial Court elected by tribal membership.
Appellate Court (Tribal Council serves as appellate court, tribe plans to form separate appellate court)

6. Current Personnel

Chief Judge: Bradley Dakota

Associate Judge: Gretchen Emery

Ct Clerk: Gretchen Taylor

Tribal Prosecutor: Joseph O'Leary

Probation Officer/FOC: Kris Curtain

Juvenile Justice Worker: Michael Cardinal

7. Territorial jurisdiction

1842 Treaty reservation boundaries encompassing 51,000 acres in Baraga County

8. Number of cases handled during 1991

Criminal: 177

Civil: 60

Delinquency: 34

Traffic: 70

Child and family: 13

Appeals: 0

9. Requirements for practicing before Tribal Court

Attorneys licensed to practice in a state may appear in tribal court, tribal members may appear as advocates

10. Court facilities

Court room, clerk's office, judge's chambers, law library.

11. Inter-governmental agreements

No written agreements

12. Laws and procedures

Comprehensive set of civil and criminal substantive and procedural codes.

LAC VIEUX DESERT BAND OF LAKE SUPERIOR CHIPPEWA INDIANS

1. Tribal Office Address: Lac Vieux Desert Band of Lake Superior Chippewa Indians
P.O. Box 446
Watersmeet, MI 49969

phone number: (906) 358-4585

2. Tribal Organization

- a) IRA government formed in: 1988 pursuant to Pub L.
- b) Constitution enacted in: 1987
- c) Number of Council Members: 9
- d) Tribal Council Term of Office: 2 years

3. Number of tribal members: 250

4. Tribal Court Address: P.O. Box 446
Watersmeet, MI 49969

phone number: (906) 358-4585

5. Judicial Organization

Chief judge and two associate judge/magistrates are appointed by Tribal Council for term of 6 years. Appellate Court is compose of other state or tribal court judges.

6. Current Personnel

Chief Judge: Franklin Hazen

Associate Judge(s): Ruth Antone
Patricia McGeshick

Ct Clerk: Patricia McGeshick

Tribal Prosecutor: Beth Paczesny

7. Territorial jurisdiction

8. Number of cases handled during 1991

Criminal: 29

Civil: 9

Delinquency: 12

Traffic: 4

Child and family: 21

Appeals: 2

9. Requirements for practicing before Tribal Court

None at this time

10. Court facilities

Courtroom housed in tribal center

11. Inter-governmental agreements

none

12. Laws and procedures

Tribal Constitution

Criminal Code

Civil Code

Mental Health Code

Traffic Code

Children's Code

SAGINAW CHIPPEWA INDIAN TRIBE

1. Tribal Office Address: Saginaw Chippewa Indian Tribe
7070 East Broadway
Mt. Pleasant, MI 48858

phone number: (517) 772-5700 FAX (517) 772-3508

2. Tribal Organization

- a) IRA government formed in: 1937
- b) Constitution enacted in: 1937; amended 1986
- c) Number of Council Members: 12
- d) Tribal Council Term of Office: 2 years

3. Number of tribal members: 924 within Reservation
1175 outside Reservation
2099 Total

4. Tribal Court Address: 7070 East Broadway
Mt. Pleasant, MI 48858

phone number: (517) 772-1964 FAX (517) 772-3508

5. Judicial Organization

The Tribal Council appoints one chief judge, one associate judge and one magistrate/court clerk for three year terms. The three person panel makes up the appellate court consisting of the chief of associate judge who did not hear the case, an attorney and one Tribal member.

6. Current Personnel

Chief Judge: Douglas Gurski

Associate Judge(s): Bruce Hinmon

Ct Clerk/Magistrate Nicki Perez

Tribal Prosecutor: Thomas Wilson

Others: Probation Officer: Mary Lynne Chippeway

Victim's Advocate: Robert Pego

7. Territorial jurisdiction

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

8. Number of cases handled during 1991

Criminal: 71

Civil: 46

Delinquency: 76

Traffic: 129

Child and family: 12

Appeals: 0

9. Requirements for practice

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. Tribal members may be admitted to practice if they meet requirements set out in Tribal Code.

10. Court facilities

Facilities include a courtroom, conference room/library, magistrate's office, front lobby, judges office, and probation office.

11. Inter-governmental agreements

No written agreements

12. Laws and procedures

Tribal Constitution
Tribal Codes & Ordinances
Court Rules & Regulations
Children's Code
Civil Code
Criminal Code

SAULT STE MARIE TRIBE OF CHIPPEWA INDIANS

1. Tribal Office Address: Sault Ste. Marie Tribe of Chippewa
Indians
206 Greenough Street
Sault Ste. Marie, MI 49783

phone number: (906) 635-6050

2. Tribal Organization

- a) IRA government formed in:
- b) Constitution enacted in: 1973
- c) Number of Council Members: 13
- d) Tribal Council Term of Office: 4 years

3. Number of tribal members: 23,000

4. Tribal Court Address: Sault Ste. Marie Chippewa Tribal
Court
1301 Marquette Avenue
Sault Ste. Marie, MI 49783

phone number: (906) 635-6540

5. Judicial Organization

Trial Court consists of 1 chief judge and 2 associate judges who are appointed by the Tribal Council for 4 year terms. Panels are formed from public as needed to hear appeals.

6. Current Personnel

Chief Judge: George Nolan

Associate Judge(s): Michelle Boyer
Anthony Nertoli

Tribal Prosecutor: Monica Lubiarz

7. Territorial jurisdiction

The Tribal Court exercises jurisdiction over its reservation lands that are spread in a checkerboard fashion throughout seven counties in the upper peninsula.

8. Number of cases handled during 1991

Criminal: 20

Civil: 2

Delinquency: 46

Traffic: 60

Child and family: 20

Appeals: 2

9. Requirements for practice

Attorneys licensed to practice in a state may appear in tribal court. Tribal members may appear as advocates.

10. Court facilities

There is a formal court room in Sault Ste Marie. Court hearings in outer county service areas are held in local community centers.

11. Inter-governmental agreements

Mutual law enforcement agreements exist in two of the seven counties where reservation lands are located.

12. Laws and procedures

Law and Order Code
Motor Vehicle Code
Landlord/Tenant Ordinance
Garnishment Ordinance
Child Welfare Code
Civil Ordinance
Marriage Ordinance
Bingo Ordinance
Liquor Control Ordinance
Millionaire Party Gaming Ordinance
Membership Ordinance