



## RESOLUTION

- WHEREAS, the Kalispel Business Committee is the duly Constituted governing body of the Kalispel Tribe by the authority of the Constitution and By-Laws for the Kalispel Tribe; and
- WHEREAS, under the Constitution and By-Laws of the Tribe, the Kalispel Business Committee is charged with the duty of protecting the health, security and general welfare of the Kalispel Tribe and all Reservation residents; and
- WHEREAS, the Law and Order Code of the Kalispel Tribe of Indians (hereafter "Code") is the embodiment of Resolutions passed by the Kalispel Business Committee, for the purpose of protecting the lives, property, culture and natural resources of the Kalispel Tribe of Indians; and
- WHEREAS, there are portions of Chapter 1 KALISPEL TRIBAL COURT (hereafter "Chapter") which are outdated and inconsistent with the practice of the Tribal Court, other parts of the Code, and other Resolutions passed by the Kalispel Business Council; and
- WHEREAS, in order to prevent confusion, the Chapter should be revised to be consistent with other parts of the Code, the practice of the Tribal Court, and the Resolutions; and
- WHEREAS, the terminology throughout the Chapter should be updated to better comport with the terminology currently used, including the following:
- References to "Chief Judge" should be replaced with "Presiding Judge"
  - References to "Clerk" should be replaced with "Court Administrator"
  - References to "Spokesman" should be replaced with "Spokesperson;" and
- WHEREAS, the Chapter should include portions of the Judicial Code of Ethics (Resolution 2014-50), which provides guidance on issues related to the Tribal Court Judiciary; and
- WHEREAS, the duties of the Court Administrator (currently "Clerk") should be updated throughout the Chapter to reflect the position's current duties; and
- WHEREAS, the practice of the Tribe and the Tribal Court has been to make the Code publically available and this practice should be codified in this Chapter; and

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WHEREAS, the use of judicial officers have changed over time and the Chapter should be updated to reflect current practices in Tribal Court; and

WHEREAS, there have been concerns that defendants are not given enough time to request a jury trial, therefore, the Chapter should be revised to allow for ten calendar days (rather than three days) to request a jury trial; and

WHEREAS, the jury selection process has changed over time and the Chapter should be revised to more consistent with the practice of the Tribal Court; and

WHEREAS, a unanimous jury verdict in a civil lawsuit is not required in most jurisdictions, therefore, the Chapter should be revised to allow a verdict to stand when four of the six jurors agree to the verdict; and

WHEREAS, the Chapter should be revised to include the process and requirements of becoming a spokesperson; and

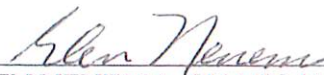
WHEREAS, there have been concerns that parties should be given more time to appeal judgments, therefore, the Chapter should be revised to allow for 20 calendar days (rather than 10 days) to appeal a judgment.


NOW THEREFORE, BE IT RESOLVED, that the Kalispel Tribe of Indians through the Business Committee hereby adopts the revisions in Chapter 1 KALISPEL TRIBAL COURT as described in this Resolution and drafted in the attached document.

BE IT FURTHER RESOLVED that other parts of the Code which make reference Chapter 1 shall be updated and corrected with current Section numbers.

CERTIFICATION

The Kalispel Business Committee adopted the foregoing RESOLUTION at a meeting held on the 22 day of September, 2015, at the Tribal office on the Kalispel Indian Reservation near Usk, Washington, with the required quorum present by a vote of 3 FOR and 0 AGAINST.

  
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GLEN NENEMA, CHAIRMAN  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2017)

  
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DARREN HOLMES, SECRETARY  
KALISPEL BUSINESS COMMITTEE  
(TERM EXPIRES JUNE 2016)