

Quinault Indian Nation



Title 30

Rules Of The Quinault Tribal Court

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TITLE 30

RULES OF THE QUINAULT TRIBAL COURT

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TITLE 30
RULES OF THE QUINAULT TRIBAL COURT

30.01.010 Purpose

This Title shall govern procedure in all proceedings in the Quinault Tribal Court. This Title is intended to provide for the just determination of every proceeding and shall be construed to secure simplicity in procedure, fairness in administration, effective justice and elimination of unjustifiable delay or expense. This Title shall be interpreted consistent with the provisions of Titles 30A and 30B.

30.02.010 Court Sessions

Regular sessions of the Court shall be held as needed in Taholah, Washington. When appropriate, the Court may sit at Queets or Lake Quinault or elsewhere within the Quinault Indian Reservation.

30.03.010 Official Station

Taholah, Washington is designated as the place where current records of the Court shall be kept and as the official station of the Clerk of the Court.

30.04.010 Location for Filing

All pleadings, motions and other papers shall be filed at the official station of the Clerk of the Court.

30.05.010 Copies of Documents

Records or documents in the files of the Court shall not be taken from the office or custody of the Clerk, except upon consent of the Clerk. Only counsel for parties will be allowed the right to remove documents and only for good cause shown and after giving proper receipt. Records or Documents in the files of the Court may be copied by the Clerk's office. The Clerk shall charge a fee for copying which may be waived if the party requesting the copies is indigent.

30.06.010 Notice to Parties

All cases at issue shall be set for trial on the merits at a time and place to be designated by the Court, and written notice of not less than 10 judicial days shall be given counsel or the parties except for good cause.

30.07.010 Extension of Time

The Court may grant extensions of time if a written request is timely filed and upon good cause.

30.08.010 Court Decorum

The following rules shall govern Court decorum requiring no interference or disturbance with the

proceedings before the Court:

- (a) A law enforcement officer may be appointed court bailiff by the judge and the bailiff will open each session of Court and be present to keep order in the courtroom at all times.
- (b) The public shall be permitted in the courtroom during trial sessions except that spectators may be prohibited from entering the courtroom during the taking of testimony without specific permission of the judge.
- (c) All persons in the courtroom shall remove their hats. All persons shall be dressed in a clean, neat manner and no person shall smoke or chew gum or tobacco in the courtroom.
- (d) Loud and unusual noises, the use of profane language or disturbances of any kind will not be allowed in the courtroom.
- (e) No one shall be allowed in the courtroom who appears to be under the influence of intoxicating liquor or drugs.
- (f) Respect and courtesy shall be shown to the judge, parties and court officers at all times.
- (g) A flag of the United States and a tribal flag, if available, shall be displayed in the courtroom at all times.

30.09.010 Exhibits

All separate documents, photographs, papers, and written or printed instruments of any nature shall be given separate exhibit numbers, with exhibits for the plaintiff numbered numerically and exhibits for the defendant marked alphabetically. In civil cases, all exhibits in the custody of the Clerk after judgment becomes final or after final disposition of the action, shall be delivered or mailed by the Clerk to the party offering the same or to his counsel. Any exhibits refused by a party or counsel may be destroyed or otherwise disposed of by the Clerk.

30.10.010 Subpoena

- (a) Every Judge of the Quinault Tribal Court shall have the power to issue a subpoena for the attendance of witnesses at a hearing, trial or deposition whether on his or her own motion or the motion of any party to the case.
- (b) Service of subpoenas shall be by any qualified member of the Quinault Law Enforcement staff, officer of the Court or any other person 18 years of age or older who is not a party to the proceeding appointed by the Court for that purpose.
- (c) A subpoena may also command the person to whom it is directed to produce books, papers or other tangible things.

(d) Failure of any person without adequate excuse to obey a subpoena may constitute Contempt of Court.

(e) A person not a party who is subpoenaed to appear before the court shall be compensated for their appearance and per mile for travel to and from Court at a rate set by the Court, to be paid by the party who subpoenaed the person, except in criminal cases where the defendant is found to be indigent.

30.11.010 Right to Counsel

Each litigant in a civil case and every defendant in a criminal proceeding shall have the right to have counsel of his choice represent him at his own expense.

30.12.010 Spokesperson Appearing in Tribal Court

Any person appearing in Tribal Court shall have the right to a spokesperson, at his own expense, to assist in presenting his case, provided that such spokesperson shall first have been admitted to the Tribal Court Bar. The Court may appoint a spokesperson to assist any person if, in the discretion of the Court or as required by tribal or federal law, it appears necessary to protect such person's rights (e.g., indigent public defense). A spokesperson need not be an attorney. Such spokesperson may appear at any proceedings before the Tribal Court so long as the spokesperson has been admitted to the Tribal Court Bar. The Court shall adopt such standards for approval of the spokesperson as it may deem necessary.

30.12.020 Definitions

For purposes of this Section, the following definitions apply:

(a) Spokesperson means a person who is authorized to speak on behalf of a party in Tribal Court.

(b) Practice of law means the application of legal principles and judgment with regard to the circumstances or objectives of another entity or person(s) which require the knowledge and skill of a person trained in the law. This includes but is not limited to:

(1) Giving advice or counsel to others as to their legal rights or the legal rights or responsibilities of others for fees or other consideration.

(2) Selection, drafting, or completion of legal documents or agreements which affect the legal rights of an entity or person(s). (This does not include completing forms provided by the Tribal Court.)

(3) Representation of another entity or person(s) in a court, or in a formal administrative adjudicative proceeding or other formal dispute resolution process or in an administrative adjudicative proceeding in which legal pleadings are filed or a record is established as the basis for judicial review.

(4) Negotiation of legal rights or responsibilities on behalf of another entity or person(s).

30.12.030 Attorneys and Lay Advocates

(a) Attorneys must be a member in good standing of the bar of any state of the United States or the District of Columbia. Attorneys shall provide competent legal representation of individuals in Tribal Court. Attorneys must also have professional liability insurance unless they are employed by the Nation.

No individual licensed as an attorney in any state of the United States, nor any individual licensed as an attorney in any foreign country, shall perform any of the following services, directly or indirectly, for a party to an action in any division of the Quinault Tribal Court, including the Appellate Court, without immediately disclosing to the Court and all parties his or her identity and the performance of such services: writing, reviewing or editing pleadings or other materials filed with the Court; assisting in the development of legal strategy or arguments; otherwise providing assistance to the party that would tend to provide the party with an advantage he or she would not have as a true pro se party.

(b) Lay advocates may assist Quinault tribal members in filling out court forms and navigating the court process, and may speak for a person in court. Lay advocates shall not engage in the practice of law in Tribal Court, except as allowed in Title 30.12. Any person who retains the services of a lay advocate does so at his own risk with respect to the competence of the advocate.

30.12.040 Admission to Tribal Court

(a) Any spokesperson who wishes to be admitted to appear before the Quinault Tribal Court may be admitted by order of the Chief Judge upon written motion.

(b) The Court, with the approval of the Quinault Business Committee, shall prescribe rules setting out the conditions and standards for admission to the Tribal Court Bar by a spokesperson, subject to the following minimum qualifications:

(1) Attorneys: Any person who is a member in good standing of the bar of any state of the United States or the District of Columbia, is of good moral character, and demonstrates to the Court a thorough knowledge of this Code, the Rules of the Quinault Tribal Court, and federal law and regulations applicable to the Quinault Nation, and some knowledge of the culture and traditions of its members, is eligible to apply for admission to practice law in this Court.

(2) Lay Advocates: Any person who is 18 years of age or older, has not been convicted of a felony or a misdemeanor in the past year, is of good moral character, and demonstrates to the Court a thorough knowledge of this Code, the Rules of the Quinault Tribal Court and knowledge of the culture and traditions of the Quinault people, is eligible to apply for admission to the Tribal Court Bar as a lay advocate.

(3) Law Students: Law students may provide legal representation to tribal members if the student meets the following requirements:

(A) Currently attending an American Bar Association (ABA) accredited law school and be in good standing;

(B) Have completed at least one academic year of credits; and

(C) Be supervised by a licensed attorney in good standing in his or her state or territory of licensure and admitted to practice before the courts of the Quinault Indian Nation.

(D) Upon graduation, the law student certified to practice in the Quinault Tribal Court shall inform the Court of the change in status and seek to qualify as an attorney under these rules.

(E) Certification by a dean, registrar, or a professor of the student's ABA-approved law school that a student meets the above requirements must be provided in writing to the Court.

(c) The Court may require a spokesperson to pass an examination to test his knowledge of the above.

30.12.050 Admission Fee and Business License

Every person wishing to appear as a spokesperson in the Tribal Court will pay an admission fee established in the Court Fee Schedule. This fee shall be paid on an annual basis and spokespersons shall not be admitted to the Tribal Court Bar without such annual fee being paid. A judge may waive the Tribal Court Bar admission fee for good cause shown.

Every person wishing to appear as a spokesperson in the Tribal Court must obtain a Quinault Indian Nation business license as provided by Title 40 of the Quinault Tribal Code. Attorneys employed by the Nation are exempt from both requirements.

30.12.060 Tribal Court Bar Roster

The Clerk of the Tribal Court will maintain a roster of all spokespersons admitted to the Tribal Court Bar. The Clerk will also keep on file the signed oaths of all such persons.

30.12.070 Spokesperson Disqualified as a Witness

No spokesperson assisting or representing a party in a case may testify as a witness in that case, except upon permission of the Court.

30.12.080 Discipline of Spokespersons Admitted to Tribal Court Bar

(a) Upon the receipt by the Chief Judge of a signed complaint alleging that a

spokesperson has acted unethically or improperly, or has violated a rule of court relating to the standards of conduct and professional responsibility, or alleging that there are reasonable grounds to believe that any spokesperson admitted to the Tribal Court Bar has been disbarred, suspended from practice, or disciplined relating to his or her practice of law in any other jurisdiction, such spokesperson shall immediately be served with notice that he or she will be suspended from the Tribal Court Bar unless he or she appears before the Chief Judge within ten (10) days of receipt of the notice and shows cause why he or she should not be suspended.

(b) Any Judge who finds a spokesperson in contempt of court may, in addition to imposing any other sanctions provided by this Code, order the spokesperson to appear as in Subsection (a), above.

(c) Any spokesperson who is ordered to appear pursuant to this Section may be requested to provide an accounting of monies received and expended on behalf of the client and to justify the accounting.

(d) Any spokesperson who is ordered to appear pursuant to this Section shall be afforded a full and fair hearing, with the rights to confront his or her accuser, to present evidence, and to subpoena and call witnesses. If after the hearing, the Chief Judge finds on the basis of the evidence that the spokesperson is guilty of misconduct which requires the imposition of disciplinary action, he or she may:

(1) verbally censure the spokesperson;

(2) issue a written reprimand to the spokesperson, which shall be recorded on the Tribal Court Bar Roster maintained by the Court Clerk;

(3) suspend the spokesperson for a specific period of time from appearing before the Tribal Courts;

(4) suspend the spokesperson for an indefinite period of time, setting a date for review of the matter to determine the necessity of continued suspension; or

(5) disbar the spokesperson permanently from the Tribal Court Bar.

(e) Any final order sanctioning the spokesperson may be appealed to the Quinault Court of Appeals in accordance with the Rules of Appellate Procedure.

30.12.090 Appeal

Any person denied admission to the Tribal Court bar may appeal in accordance with the procedures established in Title 31 of this Code. Such person shall have the right to a hearing. The decision of a majority of the appellate panel shall be final.

30.13.010 Not Eligible as Security

No counsel admitted to practice in this Court may provide security for costs or act as surety on any appeal or other bond in any case pending in which counsel is interested.

30.14.010 Disqualification as Witness

No counsel in a case may testify as a witness at the trial thereof, except upon permission of the Court.

30.15.010 Appointment of Prosecutor

The Chief Judge may appoint a counsel as prosecutor for the Quinault Tribe only if a prosecutor has not been appointed by the Business Committee of the Quinault Indian Nation, or the appointed prosecutor is unavailable.

- (a) No person shall be appointed as prosecutor unless the appointee is admitted to practice before the Court, as provided by these Rules.
- (b) The prosecutor is authorized to sign, file and present any complaint, subpoena, affidavit, motion or any civil or criminal process on behalf of the Quinault Indian Nation.

30.16.010 Disqualification of the Judge

In the case of death, illness or incapacity of the judge during the course of a trial, the Chief Judge shall order a new trial and designate another judge who shall have the same power, authority and jurisdiction as the original judge.

30.17.010 Contempt of Court

Any person may be charged in contempt of Court for any of the following reasons:

- (a) Disorderly, contemptuous, or insolent behavior, committed in immediate view and presence of the Court and directly tending to interrupt its proceedings or to impair the respect due to its authority.
- (b) Any breach of the peace, noise, or other disturbance directly tending to interrupt the proceedings of the Court.
- (c) Willful disobedience of any process or order lawfully issued by the Court.
- (d) Resistance willfully offered by any person to the lawful order or the process of the Court.
- (e) The unlawful refusal of any person to be sworn or affirmed, such as refusal to answer any material questions, except where refusal is based on legal or valid grounds.
- (f) The publication of a false or grossly inaccurate report of the proceedings of any Court.

- (g) Any person who shall request a jury trial and fails to appear on the date the jury trial is scheduled.

Upon a finding that a person is in contempt of court the Court may sentence such person to confinement for a period of not more than 1 year or to pay a fine of not more than \$1,000.00 or both, with costs, and may also issue such orders as are necessary to enable the person to purge himself or herself of the contempt.

30.18.010 Disposition of Fines, Fees and Other Payments Made to the Court

Any fines paid to the Quinault Tribal Court as a result of the provisions of this Code or other lawful orders of the Court, shall be paid to the Clerk of the Court who shall issue a receipt therefor and shall deposit the funds into the general treasury of the Quinault Indian Nation or special court fund of the general treasury if such fund is established by the Business Committee of the Quinault Indian Nation.

30.19.010 Disposition of Equipment and Property Confiscated by the Court

Any property, including equipment, which may have been forfeited by lawful order of the Court under the provisions of this Code, shall be sold at public auction and the proceeds thereof deposited by the Clerk of the Court into the general treasury.

30.20.010 Appeals

(a) Any party aggrieved by a final judgment or order of the Quinault Tribal Court in any case shall be entitled to appeal to the Quinault Tribal Court of Appeals, provided that a notice of appeal is filed with the Clerk of the Court within 20 judicial days after the final judgment is entered.

(b) The appeal if granted shall be heard by the Quinault Tribal Court of Appeals and the judgment of the Appeals Court shall be final.

(c) While a case is on appeal the Court may grant a stay of the judgment pending a decision by the Court of Appeals.

30.21.010 Rules of Evidence

Except as otherwise expressly provided in this Code, the law and rules of the State of Washington governing the admission of evidence shall apply to all proceedings. The Court shall interpret those rules in light of the unique cultural and historical traditions of the people of the Quinault Nation and in the interest of justice and fairness. The Court may also look to the decisional law of the Washington State appellate courts in interpreting those rules. When the Court's interpretation of a rule of evidence departs from Washington State law regarding the same or similar rule, the Court's interpretation shall be filed as a written Rules of Evidence Memoranda which will set forth the facts of the case, the evidence rule or rules at issue, the Washington State decisional law interpreting the rule or rules at issue and the Court's rationale for its interpretation of the rule or rules. The written Rules of Evidence Memoranda shall be filed with the court clerk and available for public inspection

during regular court hours. The Rules of Evidence Memoranda may be cited by any party as authority and shall govern all subsequent litigation.

30.22.010 Enforcement of Foreign Judgments, Orders and Decrees.

Enforcement of any final order, judgment or decree of a State, Federal or Tribal Court may be sought in the Quinault Tribal Court, where such order, decree or judgment involves a matter in which the foreign court has either exclusive or concurrent jurisdiction. The Quinault Tribal Court may grant full faith and credit to such an order, judgment or decree pursuant to the following procedures:

- (a) A certified copy of the judgment, order or decree issued by the foreign court must be filed with the Clerk of the Quinault Tribal Court;
- (b) The person seeking enforcement shall file a Petition For Enforcement along with the judgment, order, or decree;
- (c) The clerk shall set a date for a hearing on the Petition no sooner than 15 judicial days from the date the Petition is filed to determine whether to grant full faith and credit to the foreign order, judgment or decree;
- (d) A copy of the Petition and Notice of Hearing shall be served personally or by registered mail on the respondent no later than 5 judicial days before the date of the hearing;
- (e) The hearing on the Petition shall be governed by the rules of the Quinault Tribal Court;
- (f) The respondent may raise any defense that would be available to the respondent in the Court issuing the order, judgment or decree;
- (g) At the conclusion of the hearing the court shall enter an order either granting or denying full faith and credit to such order, decree or judgment and any other relief the Court deems appropriate;
- (h) If the respondent fails to appear at the hearing or elects not to contest the Petition for Enforcement the Court shall determine if the foreign court issuing the order, judgment or decree had jurisdiction to enter such order, judgment or decree and whether the respondent was properly served notice of the hearing. Upon a finding that the foreign court had jurisdiction, and the respondent was properly served notice of the hearing, the Quinault Tribal Court shall enter an order granting full faith and credit to such order, judgment or decree and any other relief it deems appropriate.

30.23.010 Extradition

Whenever the Chief Judge of the Quinault Tribal Court is informed and believes that any person has committed a crime inside or outside the exterior boundaries of the Quinault Reservation in violation of the laws of the United States, a state of the United States or a federally recognized Indian Tribe, the

judge may upon request of the proper authorities, order the Quinault Police Department to deliver that person to the proper authorities. The Chief Judge may request the proper authorities of the United States, a State or Tribe to deliver any person who has committed a crime within the jurisdiction of the Quinault Indian Nation and has fled to avoid prosecution, to the custody of the Quinault Tribal Court.

30.24.010 Rules of Exclusion Procedure

The procedure for exclusion of persons from the Quinault Reservation under section 17.01.010 shall be as follows:

(a) The President or Vice-President of the Quinault Indian Nation Business Committee shall petition the Quinault Tribal Court to serve notice, in accordance with 30B.05.020 of this Code, upon any person when the President or Vice-President has reason to believe cause may exist for exclusion of such person. Such notice shall state the reason for the order and shall name a time not less than 5 judicial days, unless an emergency exists, when the person may appear before the Quinault Tribal Court to show cause why he should not be excluded from the Quinault Indian Reservation.

(b) After notice to the person proposed for exclusion, the Quinault Tribal Court shall hold a hearing to decide whether or not that person shall be excluded from the Quinault Indian Reservation.

(c) If the person does not appear at the hearing at the time and place scheduled or if found at the hearing that cause does exist to exclude that person from the Quinault Indian Reservation, the Quinault Tribal Court shall issue an order excluding the person from all or any part of the Quinault Indian Reservation or permitting such person to remain on the Quinault Indian Reservation under such conditions as specified in the order. The order shall be effective until revoked or modified by the Court.

(d) Any person subject to any order of the Court under this Section may appeal to the Quinault Tribal Court of Appeals, under this Code.

(e) If the final judgment is that the person shall be excluded from the Quinault Reservation, then the Court shall deliver an order of removal to any law enforcement officer who shall thereupon order the person to obey the order. If, after the required time specified in the order, the person does not comply with the order he may be removed bodily from the Quinault Indian Reservation by the law enforcement officer as stated in the order of the Court.

(f) In cases involving immediate danger to the life, health, morals, or property of the Quinault Nation, residents of the Reservation, or any tribal members, where delay would result in irreparable damage, a judge of the Quinault Tribal Court, upon petition of the President or Vice-President of the Quinault Tribal Business Committee, may order any law enforcement officer to remove a person and/or any property of such person from the Quinault Reservation immediately, using only so much force as is reasonable and necessary to effect the removal. The judge shall cause the law enforcement officer to serve the notice upon the person at the time of removal or cause the notice to be served as soon thereafter as possible.

(g) In any case involving the immediate removal of a person from the Quinault Reservation, the order of the judge shall state the conditions under which the person may return for a hearing, if such hearing was not held, and for appeal of the judgment, if the person files notice of appeal as required by this Code.

30.25.010 Declarations

Whenever, under the laws or rules of the Quinault Indian Nation, any matter in an official proceeding is required or permitted to be supported, evidenced, established or proved by a person's sworn statement, declaration, verification, certificate, oath or affidavit, the matter may with like force be proved in the official proceeding by unsworn written statement, declaration, verification or certificate which:

- (a) Recites that it is certified or declared by the person to be true under penalty of perjury;
- (b) Is subscribed by the person;
- (c) States the date and place of its execution; and
- (d) States that it is so certified or declared under the laws of the Quinault Indian Nation.

The certification or declaration shall be in substantially the following form:

"I certify under penalty of perjury under the laws of the Quinault Indian Nation that the foregoing is true and correct":

(Date and Place)

(Signature)

30.26.010 Sovereign Immunity

This Title and Titles 30A and 30B shall not be construed to waive the sovereign immunity of the Quinault Indian Nation or any of its employees, officials, agents, entities or enterprises.

30.27.010 Reference

A reference in any other provision of this Code to a specific section of former Title 30 shall mean the section of this Title that addresses the referenced matter.

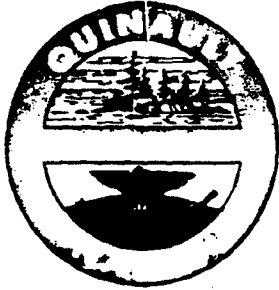
Legislative History

Enacted _____

Amended, July 27, 1992 (Res. No. 92-48-70)

Reaffirmed and Posted, November 24, 2008 (Res. No. 08-109-87)

Section 30.12 Amended, March 24, 2014 (Res. No. 14-57-92)



Quinault Indian Nation

POST OFFICE BOX 189 □ TAHOLAH, WASHINGTON 98587 □ TELEPHONE (206) 276-8211

RESOLUTION NO. 92-48-70 QUINAULT BUSINESS COMMITTEE

WHEREAS, the Quinault Business Committee is the governing body of the Quinault Indian Nation and;

WHEREAS, the Quinault Business Committee is charged with the duty of protecting the health, welfare and safety of the People of the Quinault Indian Reservation and;

WHEREAS, the Quinault Business Committee is also charged under Article V Section 3 the Constitution of the Quinault Indian Nation to establish a Tribal Court and provide for its procedures and;

WHEREAS, Titles 10, 15 and 30 of the Quinault Tribal Code currently set forth the rules of Criminal Procedure, Civil Procedure and Rules of the Court respectfully and;

WHEREAS, Titles 10, 15 and 30 of the Quinault Tribal Code no longer adequately address the procedures and rules necessary to provide for the orderly administration of justice in the Quinault Tribal Court and;

WHEREAS, it is confusing to litigants when the Tribal Court rules and procedure are contained in separate sections of the Quinault Tribal Code and;

WHEREAS, it is possible to amend or replace those Titles to provide for the orderly administration of justice and to place those Titles in one Section of the Tribal Code and;

WHEREAS, Title 30 has been amended and Titles 10 and 15 have been and replaced by Titles 30A and 30B respectively to effectuate the orderly administration of justice and to allow the Tribal Court rules and procedures to be located sequentially in the Quinault Tribal Code and;

WHEREAS, public hearings were held in Queets and Taholah on July 20, 1992, and comments were taken on amended Title 30 and new Titles 30A and 30B;

NOW, THEREFORE, BE IT RESOLVED that Title 30 as amended and new Titles 30A and 30B are enacted into law and shall be placed sequentially in the Quinault Tribal code and;

BE IT FURTHER RESOLVED, that Titles 10 and 15 are hereby repealed and replaced with Titles 30A and 30B respectively as of August 31,

BE IT FURTHER RESOLVED, that the above provision shall take effect August 15, 1992.

Joseph De La Cruz
Joseph DeLaCruz, Chairman
Quinault Business Committee

CERTIFICATION

I hereby certify that the above resolution was duly adopted at a regular meeting of the Business Committee at Taholah, Washington, on the 27th day of July 1992, at which time a quorum was present by a vote of 7 FOR, 0 AGAINST and 0 ABSTAIN.

Margie Valdillez
Margie Valdillez, Secretary
Quinault Business Committee



Quinault Indian Nation

POST OFFICE BOX 189 □ TAHOLAH, WASHINGTON 98587 □ TELEPHONE (206) 276-8211

RESOLUTION NO. 92-48-70 QUINAULT BUSINESS COMMITTEE

WHEREAS, the Quinault Business Committee is the governing body of the Quinault Indian Nation and;

WHEREAS, the Quinault Business Committee is charged with the duty of protecting the health, welfare and safety of the People of the Quinault Indian Reservation and;

WHEREAS, the Quinault Business Committee is also charged under Article V Section 3 the Constitution of the Quinault Indian Nation to establish a Tribal Court and provide for its procedures and;

WHEREAS, Titles 10, 15 and 30 of the Quinault Tribal Code currently set forth the rules of Criminal Procedure, Civil Procedure and Rules of the Court respectfully and;

WHEREAS, Titles 10, 15 and 30 of the Quinault Tribal Code no longer adequately address the procedures and rules necessary to provide for the orderly administration of justice in the Quinault Tribal Court and;

WHEREAS, it is confusing to litigants when the Tribal Court rules and procedure are contained in separate sections of the Quinault Tribal Code and;

WHEREAS, it is possible to amend or replace those Titles to provide for the orderly administration of justice and to place those Titles in one Section of the Tribal Code and;

WHEREAS, Title 30 has been amended and Titles 10 and 15 have been and replaced by Titles 30A and 30B respectively to effectuate the orderly administration of justice and to allow the Tribal Court rules and procedures to be located sequentially in the Quinault Tribal Code and;

WHEREAS, public hearings were held in Queets and Taholah on July 20, 1992, and comments were taken on amended Title 30 and new Titles 30A and 30B;

NOW, THEREFORE, BE IT RESOLVED that Title 30 as amended and new Titles 30A and 30B are enacted into law and shall be placed sequentially in the Quinault Tribal code and;

BE IT FURTHER RESOLVED, that Titles 10 and 15 are hereby repealed and replaced with Titles 30A and 30B respectively as of August 31,

1992, and:

BE IT FURTHER RESOLVED, that amended title 30 and Titles 30A and 30B shall govern all cases filed in the Quinault Tribal Court after August 31, 1992.

Joseph DeLaCruz
Joseph DeLaCruz, Chairman
Quinault Business Committee

CERTIFICATION

I hereby certify that the above resolution was duly adopted at a regular meeting of the Business Committee at Taholah, Washington, on the 27th day of July 1992, at which time a quorum was present by a vote of 7 FOR, 0 AGAINST and 0 ABSTAIN.

Margie Valdillez
Margie Valdillez, Secretary
Quinault Business Committee



Quinault Indian Nation

POST OFFICE BOX 189 • TAHOLAH, WASHINGTON 98587 • TELEPHONE (360) 276-8211

QUINAULT BUSINESS COMMITTEE RESOLUTION NO. 08-109-87

WHEREAS, the Quinault Business Committee (Committee) is the governing body of the Quinault Indian Nation; and,

WHEREAS, the Committee is charged under Article V, Section 2 of the Quinault National Constitution with the duty and authority to enact laws for the welfare of the Nation; and,

WHEREAS, the Committee has approved and enacted a collective array of laws to govern and regulate the health, safety, welfare and economic welfare of the Nation, its citizens and community members; and,

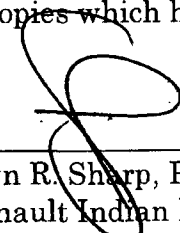
WHEREAS, the Committee recognizes that consistent and reliable access to these laws are a matter of responsible governance and provide certainty to those subject to the Nation's laws; and,

WHEREAS, the Committee, through its Secretary, Records Clerk and Office of Reservation Attorney have verified the currently approved National titles of law; and,

WHEREAS, the Committee approved a prescribed code enactment policy for all drafting, public hearing and approval for any new codes or amendments to existing codes; and

NOW, THEREFORE, BE IT RESOLVED, that the Nation's codes shall be made available in protected electronic format within its internal network and that such codes shall be maintained and updated through a coordinated effort of the Tribal Secretary, Record Office and the Office of Reservation Attorney.
AND NOW THEREFORE BE IT

FURTHER RESOLVED, the Executive Director and Tribal Operations shall make diligent efforts to see that all departments use the current codes as listed in the approved electronic versions in the internal network, and destroy all copies which have been superseded.



Fawn R. Sharp, President
Quinault Indian Nation Business Committee



Quinault Indian Nation

POST OFFICE BOX 189 • TAHOLAH, WASHINGTON 98587 • TELEPHONE (360) 276-8211

QUINAULT BUSINESS COMMITTEE

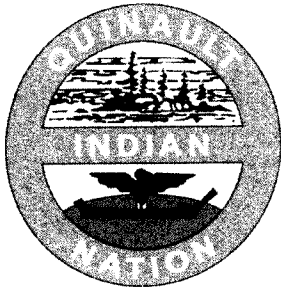
RESOLUTION NO. 08-109-87

CERTIFICATION

I hereby certify that the Quinault Indian Nation Business Committee duly adopted the above resolution at a regular meeting of the Business Committee at Taholah, Washington, on the 24 day of November 2008, at which time a quorum was present by a vote of 8 for and 0 against and 1 abstaining.

A handwritten signature in black ink, appearing to read "Gina V. James", is written over a horizontal line.

Gina V. James, Secretary
Quinault Indian Nation Business Committee



Quinault Indian Nation

POST OFFICE BOX 189 □ TAHOLAH, WASHINGTON 98587 □ TELEPHONE (360) 276 - 8211

QUINAULT BUSINESS COMMITTEE RESOLUTION NO. 14-57-92

WHEREAS, the Quinault Business Committee is the recognized governing body of the Quinault Indian Nation under the authority of the Quinault Indian Nation's Constitution adopted by the Quinault General Council on March 22nd, 1975; and

WHEREAS, Article V, Section 3(b) of the Constitution of the Quinault Indian Nation specifically grants the Business Committee the power to provide for the execution and enforcement of the laws of the Quinault Nation; and

WHEREAS, Article V, Section 3(o) of the Constitution of the Quinault Indian Nation specifically grants the Business Committee the power to exact all laws which shall be necessary and proper for carrying into execution and power delegated to the Business Committee or any person or committee under the supervision of the Business Committee; and

WHEREAS, Title 30.12 of the Rules of the Quinault Tribal Court provides the process to become a member of the Quinault Tribal Court Bar; and

WHEREAS, in preparation for the implementation by the Quinault Indian Nation of the Tribal Law and Order Act of 2010 and the tribal provisions of the Violence Against Women Act of 2013, the Business Committee directed the Office of the Attorney General to revise Title 30.12 to provide a comprehensive process for admission to the Tribal Court Bar, as well as a disciplinary process; and

WHEREAS, public hearings were held at Taholah on February 24, 2014, and at Queets on February 26, 2014 in accordance with the Constitution; and

WHEREAS, the Business Committee finds that it is in the best interest of the Quinault Indian Nation to approve the changes to Title 30.12 in order to protect the integrity of the Quinault Tribal Court and to protect the rights of the Quinault community.

NOW THEREFORE, BE IT RESOLVED, that the Quinault Business Committee **approves** the attached revision to Title 30.12 of the Rules of the Quinault Tribal Court.

BE IT FURTHER RESOLVED that the Quinault Business Committee directs the Clerk of the Quinault Tribal Court to provide notice to all current members of the Tribal Court Bar that Title 30.12 has been revised and directing them to reapply under the new rules.

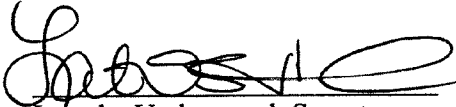
BE IT FURTHER RESOLVED that in order to protect the rights of those persons who have retained the services of "lay counsel" under the former Title 30.12 to file lawsuits and other proceedings in Quinault Tribal Court, the "lay counsel" shall be permitted to complete such lawsuits and other proceedings. "Lay counsel" shall not be allowed to file new lawsuits or other proceedings except in accordance with the new Title 30.12 after the date of enactment.



Fawn R. Sharp, President
Quinault Indian Nation

CERTIFICATION

As Secretary of the Quinault Business Committee, I hereby certify that the foregoing resolution was duly enacted by the Quinault Business Committee in Queets, WA, at a regular meeting held on March 24, 2014 by a vote of 8 for, 0 against, 1 abstaining.



Latosha Underwood, Secretary
Quinault Business Committee