

Nottawaseppi Huron Band of Potawatomi Indians

Tribal Court

Procedures for the Adoption of Tribal Court Rules

Chapter 1

Section 1: Title

The name of this Chapter of Court Rules is “ *Procedures for the Adoption of Court Rules.*”

Section 2: Purpose

The purpose of this Chapter of Court Rules is to establish a transparent, open and public process for the adoption of court rules. Court rules provide uniformity, consistency and fairness in the practice and procedure before the Tribal Courts. Draft rules shall be published for public comment. Only after the comment period ends and all comments received are duly considered shall court rules be adopted.

Section 3: Definitions

For the purposes of this Chapter of Court Rules the following definitions will be used:

- A. “Band” and “Tribe” are synonymous and mean the Nottawaseppi Huron Band of Potawatomi Indians.
- B. “Chief Judge” means the Chief Judge of the Tribal Court.
- C. “Court” and “Tribal Court” are synonymous and mean the trial level court of the Band.
- D. “Court Rules” means the set of rules that govern practice and procedure in the Tribal Court.
- E. “Day” means calendar day.

Section 4: Numbering

All court rules will be numbered beginning with this Chapter of Court Rules. They will be numbered sequentially beginning with Chapter 1.

Section 5: Headings

There will be a title or label after each Section number.

Section 6: Court Rule Adoption Procedure

- A. All proposed court rules shall be in writing and the Court Administrator shall be responsible for formatting the proposed rules consistent with this Chapter and assigning the Chapter a number.

- B. After formatting the proposed rules, the Court Administrator shall do the following:
- 1) Forward a copy of the proposed rules to the Chief Judge for review and comment.
 - 2) Arrange for the publication of the proposed rules in the next monthly issue of "*She-Ke-Gig-Do*", Turtle Press.
 - 3) Post a copy of the proposed rules on all the Tribal Bulletin Boards for a period not less than 30 days.
 - 4) Post a copy of the proposed rules on the Tribal Court web page when developed.
 - 5) Distribute by regular mail copies to the Tribal Chairperson, each Tribal Council Member and the Tribal Operations Manager.
 - 6) Distribute a copy of the proposed court rules to any Tribal Member requesting a copy.
- C. All comments regarding the proposed court rules are to be received by the Court Administrator within a period not to exceed 30 days from the date of publication of the proposed rule in the Tribe's monthly news letter. All comments must be in writing.
- D. Upon receipt of all comments, the Court Administrator shall forward them to the Chief Judge.

Section 7: Adoption

Prior to the adoption of the proposed Court Rules, all comments shall be duly considered by the Chief Judge.

Section 8: Citation Form

The abbreviated citation form for this Chapter of Court Rules is NHBPCR, Chapter 1.

CERTIFICATE OF ADOPTION

The Chief Judge of the Tribal Court adopts the above *Chapter of Court Rules* on February 25, 2008.

/s/ _____
Hon. Michael Petoskey, Chief Judge

Date: 02/25/2008

JUDICIAL HISTORY

The Chapter of Court Rules on the *Procedures for the Adoption of Court Rules* was adopted on February 25, 2008.