

Flandreau Santee Sioux Tribe

P.O. Box 283 Flandreau, SD 57028

Ph. 605-997-3891

Fax 605-997-3878

RESOLUTION NO. 11 – 52

- WHEREAS, the Flandreau Santee Sioux Tribe is a recognized Indian tribe organized pursuant to a Constitution and By-laws approved by the Secretary of Interior and Commissioner of Indian Affairs on April 24, 1936, amended February 7, 1941, and further amended November 16, 1967, and further amended November 14, 1984, and further amended May 17, 1997; and
- WHEREAS, Article III of the Tribe's Constitution and By-laws provides that the governing body of the Tribe shall be the Executive Committee; and
- WHEREAS, pursuant to Article VIII section 1(f) of said Constitution, the Executive Committee has the power to promulgate ordinances and regulating the conduct of all persons on the Flandreau Santee Sioux Tribe Reservation, and
- WHEREAS, the Executive Committee promulgated "Title 2 - Criminal Procedure," of the Flandreau Santee Sioux Tribe Law and Order Code with the most recent amendment being August 23, 2007, and
- WHEREAS, the Executive Committee promulgated "Title 4 - Civil Procedure," of the Flandreau Santee Sioux Tribe Law and Order Code by resolution number 96-55 on September 3rd, 1996, and
- WHEREAS, the Executive Committee desires to amend its Law and Order Code for the purpose of changing juror requirements for Criminal Trials, and
- WHEREAS, the Executive Committee desires to amend its Law and Order Code for the purpose of changing juror requirements for Civil Trials, and
- WHEREAS, specifically, the Executive Committee has determined that Title 2, Chapter 15, needs to be amended to require that jurors in Tribal Criminal Court are Flandreau Santee Sioux Tribe Members, and
- WHEREAS, the Executive Committee has determined that a new provision must be added to Title 4, Chapter 11, to require that jurors in Tribal Civil Court are Flandreau Santee Sioux Tribe Members, and

NOW THEREFORE BE IT RESOLVED, that the Executive Committee hereby enacts the following amendment to the Flandreau Santee Sioux Tribe Law and Order Code:

TITLE 2, CHAPTER 15, SECTION 1 (§ 2-15-1) (new language is underlined)

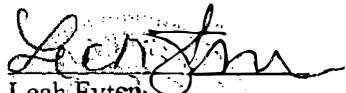
Qualification of jurors. All Flandreau Santee Sioux Tribe Members pursuant to Article 2 of the FSST Constitution, who are on the eligible voter's list, eighteen years of age or older, of sound mind and who are able to read, write, and understand the English language, are eligible to serve as jurors.

TITLE 4, CHAPTER 11, SECTION 6 (§ 4-11-6) (new section)

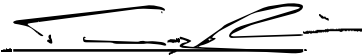
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CERTIFICATION

The foregoing Resolution was duly enacted and adopted on this 13 day of July, 2011, by the Executive Committee at which a quorum was present of 6 for, 0 against, 1 not voting, and 0 absent.



Leah Fyten
Tribal Secretary



Tony Reider
Tribal President