

SAUK-SUIATTLE INDIAN TRIBE
CIVIL REMOVAL/EXCLUSION PROCEDURES ORDINANCE

ADOPTED
5/03/85

SAUK SUIATTLE INDIAN TRIBE
CIVIL REMOVAL/EXCLUSION PROCEDURES ORDINANCE

CHAPTER ONE: SCOPE

Section 1.010 - Jurisdiction: This ordinance shall apply within the territorial jurisdiction of the Sauk-Suiattle Indian Tribe.

Section 1.020 - Persons Subject to Removal/Exclusion: This ordinance applies to all persons, including business entities and individuals, except members of the Sauk-Suiattle Indian Tribe and their children.

Section 1.030 - Purpose: This ordinance is enacted to provide civil exclusion and removal procedures which are consistent with the rights enjoyed and duties imposed under the laws of the Sauk-Suiattle Indian Tribe.

CHAPTER TWO: DEFINITIONS

Section 2.010 - Children: The term "children," when used in this ordinance, means all persons under the age of eighteen (18) years who are the biological, foster, or adoptive children of enrolled members of the Sauk-Suiattle Indian Tribe.

Section 2.020 - Complainant: The term "complainant," when used in this ordinance, means any person who files a complaint under this ordinance.

Section 2.030 - Exclusion: The term "exclusion" when used in this ordinance, means an order denying entry onto property within the jurisdiction of the Sauk-Suiattle Indian Tribe.

Section 2.040 - Proper Authority: The term "proper authority" when

used in this ordinance, means: 1) a court order recognized as valid by the Sauk-Suiattle Tribal Court or Sauk-Suiattle Tribal Council; or 2) permission to remove the child, granted by a parent or other person who has lawful authority to give permission to remove.

Section 2.050 - Removal: The term "removal", when used in this ordinance, means an order transferring a person from within the jurisdiction of the Sauk-Suiattle Indian Tribe to a position outside the jurisdiction of the Sauk-Suiattle Indian Tribe.

Section 2.060 - Sauk-Suiattle Community: The term "Sauk-Suiattle Community", when used in this ordinance, means enrolled members of the Sauk-Suiattle Indian Tribe and residents of the Sauk-Suiattle Reservation.

Section 2.070 - Tribal Law Enforcement: The term "Tribal Law Enforcement" when used in this ordinance, means any person authorized by the Sauk-Suiattle Indian Tribe to conduct law enforcement duties. The Sauk-Suiattle Indian Tribe may designate one or more persons to serve as tribal law enforcement for the purpose of enforcing this ordinance.

CHAPTER THREE: GROUNDS FOR REMOVAL/EXCLUSION

Section 3.010 - Grounds for Removal/Exclusion: Any person subject to this ordinance may be removed and excluded from the jurisdiction of the Sauk-Suiattle Indian Tribe for any of the following reasons:

- a) Committing an act which violates the criminal or civil laws of the Sauk-Suiattle Indian Tribe, whether or not the Tribe has jurisdiction to prosecute the person for the act.

- b) Any act which violates the criminal laws of the State of Washington or of the United States of America, whether or not the person may be prosecuted by the State or United States.
- c) Evading arrest or prosecution for an offense committed in another jurisdiction.
- d) Failure to comply with any legal process, notice, subpoena, order, or other decree issued by the Sauk-Suiattle Tribal Court, Tribal Council, or any tribal administrative procedure panel.
- e) Removing or attempting to remove any child of a member of the Sauk-Suiattle Tribal Community who is under eighteen (18) years of age, from the jurisdiction of the Sauk-Suiattle Reservation, without proper authority.
- f) Any act causing physical loss or damage to property, not his own.
- g) Unauthorized possession of, taking or injury to natural resources within the jurisdiction of the Sauk-Suiattle Indian Tribe.
- h) Disturbing or destroying grave sites, artifacts, or other sites and objects of historical or anthropological value, without authorization from the Tribal Council.
- i) Interference or threats to interfere with the business activities of the Sauk-Suiattle Indian Tribe.
- j) Failure to pay tribal taxes, assessments or user fees.
- k) Inducing any member of the Sauk-Suiattle Community to

enter into a grossly unreasonable contract of any nature.

- l) Defrauding any member of the Sauk-Suiattle Community or the Sauk-Suiattle Indian Tribe of just compensation for labor or service done.
- m) Repeated harassment of members of the Sauk-Suiattle Community, tribal officials, tribal employees, or tribal members.
- n) Photographing or interfering with any ceremony without permission of the participants.
- o) Conducting missionary activities without prior authorization from the Tribal Council. This section is not intended to interfere with an individual's right to invite missionaries to communicate with him or her.

CHAPTER FOUR: STARTING AN EXCLUSION ACTION:

Section 4.010 - Complaint - Who May File: Any member of: 1) the Sauk-Suiattle Indian Tribe, 2) Sauk-Suiattle Community, or 3) Tribal Law Enforcement may file a written complaint requesting the removal or exclusion of any person who is subject to this ordinance.

Section 4.020 - Complaint - Contents: A complaint shall include: 1) The name of the person or entity to be removed or excluded, 2) the grounds for the request, 3) the factual basis for the request, and 4) the signature of the person making the request. The person making the complaint should also state whether an immediate danger to health, safety or property exists.

Section 4.030 - Complaint - Filing: A complaint shall be filed by personal delivery or deposit in the mail to the Vice-Chairman of the Sauk-Suiattle Tribal Council. The Vice-Chairman shall sign and date the complaint when he or she receives it. The complainant shall mail a copy of the complaint to the Secretary of the Sauk-Suiattle Tribal Council at the same time he or she files the complaint with the Vice-Chairman.

CHAPTER FIVE: EXCLUSION HEARING PANEL

Section 5.010 - Exclusion Hearing Panel - Generally: All exclusion complaints shall be reviewed by a hearing panel authorized under this ordinance. The hearing panel's purpose is to screen complaints and to direct appropriate action, based on the facts and circumstances of each case.

Section 5.020 Hearing Panel - Appointment: A Sauk-Suiattle Exclusion Hearing Panel shall be appointed by the Vice-Chairman of the Tribal Council. The Vice-Chairman shall serve as the Hearing Officer in all exclusion matters. The Hearing Officer shall appoint at least two other members of the Tribal Council to serve on the Hearing Panel. Appointments may be made on a case by case basis. The Hearing Officer shall be guided in making appointments by a policy of avoiding conflicts of interest, when possible.

Section 5.030 - Hearing Officer - Powers and Duties: The Hearing Officer shall be a voting member of the Hearing Panel. It shall be his or her duty to assist the Hearing Panel in following the procedures in this ordinance. The Hearing Officer may request technical assistance or legal advice as needed by the Hearing Panel.

The Hearing Officer shall schedule all hearings to be heard by the Tribal Council.

Section 5.040 - Exclusion Hearing Panel - Powers: The Hearing Panel has the power to review complaints, make recommendations to the Tribal Council, dismiss complaints, and to order temporary removal of individuals and entities as specified by this ordinance.

Section 5.050 - Exclusion Hearing Panel - Time of Hearing: The Vice-Chairman shall direct the Hearing Panel to hold a hearing within five (5) days of the date the Vice-Chairman receives the complaint, unless extended for good cause. The (5) day limit shall include weekends and holidays.

Section 5.060 - Exclusion Hearing Panel - Conduct of Hearings: All hearings before the Hearing Panel shall be conducted in an informal manner, without the presence of attorneys or formal rules of evidence. The proceedings shall be tape recorded whenever possible. A member of the Hearing Panel shall be designated to keep minutes of the proceedings in all cases. The Hearing Panel may request the complainant to appear before it, to assist them in evaluating the merits of the complaint.

Section 5.070 - Exclusion Hearing Panel - Decision: After reviewing the contents of the complaint and hearing from the complainant, if present, the Hearing Panel shall take one of the following actions:

- 1) Dismiss the complaint, if the Hearing Panel finds the complainant does not state sufficient facts and grounds to warrant removal under this ordinance.

- 2) Enter a written order for temporary removal or exclusion if it appears to the Hearing Panel that an immediate danger to health, safety, or property exists and irreparable harm is likely to occur if the person or entity is not removed or excluded at once.
- 3) Schedule a hearing before the Tribal Council, if the above actions are not taken. The hearing shall be held no sooner than ten (10) days and no later than thirty (30) days from the date the decision was rendered.

Section 5.080 - Exclusion Hearing Panel - Report to Tribal

Council: The Hearing Panel shall submit a written report to the Tribal Council after rendering a decision on the complaint. The report shall include a statement of the facts of the matter, the decision rendered by the Hearing Panel, the reasons for the decision and a statement of any recommendations for further action. The report shall be submitted five (5) days from the date of the Hearing Panel's decision, by mail or personal delivery to each member of the Tribal Council.

CHAPTER SIX: DISMISSAL BY HEARING PANEL

Section 6.010 - Notice of Dismissal to Complainant: The Hearing Panel shall notify the complainant, in writing, by mail or personal delivery, within five (5) days of its decision to dismiss the complaint. The notice shall include the reasons for the dismissal.

CHAPTER SEVEN: ORDER FOR TEMPORARY REMOVAL/EXCLUSION:

Section 7.010 - Order for Temporary Removal or Exclusion -

Contents: An order for temporary removal or exclusion entered by the Hearing Panel shall include:

- 1) The reason for the removal or exclusion.
- 2) A statement that the person or entity may request a hearing before the Sauk-Suiattle Indian Tribal Council within ten (10) days of service of the order. The hearing shall be scheduled no later than twenty (20) days from the date of service of the order.
- 3) A statement that failure to request a hearing within the time limits prescribed may result in a permanent order of removal or exclusion being entered by the Tribal Council.
- 4) The time and date by which the person must leave the reservation.

Section 7.020 - Order for Temporary Removal or Exclusion -

Service: An order for temporary removal or exclusion shall be personally served on the individual or entity named in the complaint, if the individual or entity resides within the jurisdiction of the Sauk-Suiattle Indian Tribe. Service may be made by Tribal Law Enforcement or by any person at least eighteen years old, not a party to the case, who is authorized by the tribe to serve process. If personal service fails or the individual or entity is not a resident, the order may be served by certified mail, return receipt requested, to the last known address of the person or entity named. The process server shall return an affidavit of service to

the Hearing Officer

Section 7.030 Order for Temporary Removal or Exclusion -

Enforcement: The Hearing Panel may request Tribal Law Enforcement to supervise the removal of an individual or entity. Tribal Law Enforcement, in its discretion and under its supervision, may allow the person to gather any necessary belongings from the reservation, prior to removal. If the individual or entity fails to voluntarily remove himself within the time limit stated in the order, Tribal Law Enforcement may physically remove him. Tribal Law Enforcement shall use only so much force as is reasonable to accomplish the removal.

CHAPTER EIGHT: EMERGENCY REMOVALS:

Section 8.010 - Emergency Removals - Grounds: Tribal Law Enforcement may remove any person subject to removal under this ordinance from the jurisdiction of the Sauk-Suiattle Indian Tribe if Tribal Law Enforcement observes that an immediate danger to health, safety or property exists and delay would result in irreparable harm. Tribal Law Enforcement, in its discretion and under its supervision, may allow the person to gather any necessary belongings from the reservation, prior to removal.

Section 8.020 Emergency Removals - Right to a Hearing: Tribal Law Enforcement shall advise the person being removed that he/she has a right to a hearing. Tribal Law Enforcement shall request sufficient information from the person to be able to mail a written notice after removal.

Section 8.030 Notice of Opportunity to Request Hearing: The Sauk-

Suiattle Indian Tribe shall cause a notice of the opportunity to request a hearing to be sent to the person removed, by certified mail, return receipt requested. The notice shall state:

- 1) The reason for the emergency removal.
- 2) A statement that the person or entity may request a hearing before the Sauk-Suiattle Tribal Council within ten (10) days of service of the notice. The hearing shall be scheduled no later than twenty (20) days from the date of service of the order.
- 3) A statement that failure to request a hearing within the time limits prescribed may result in a permanent order for exclusion being entered by the Tribal Council.

CHAPTER NINE: HEARINGS BEFORE THE TRIBAL COUNCIL:

Section 9.010 Scheduling Hearings: The Tribal Council shall meet within the time limits stated in this ordinance, unless the time is extended by agreement between the Tribal Council and the person subject to removal or exclusion. The Vice-Chairman is responsible for scheduling all hearings before the Tribal Council.

Section 9.020 Notice of Hearing - Content: Unless otherwise specified by this ordinance, a Notice of Hearing for hearings before the Tribal Council shall include:

- 1) The reason(s) for the hearing;
- 2) The date, time and place of the hearing;
- 3) A statement that the person may be represented by counsel at his own expense;
- 4) A statement that the person may present testimony of wit-

nesses and other evidence on his behalf.

- 5) A statement that failure to attend the hearing may result in the Tribal Council entering a permanent order of exclusion or removal.

Section 9.030 Notice of Hearing - Service: Unless otherwise specified, notices of hearing shall be served in the manner set forth in Section 7.020. The complainant and the individual subject to removal or exclusion shall be served.

Section 9.040 Conduct of Hearings: The Tribal Council shall hear evidence from the complainant, the individual or entity subject to exclusion, and any other persons who may have knowledge of facts relevant to the case. All persons appearing before the Tribal Council may be represented by counsel, at their own expense. The individual or entity subject to exclusion may cross-examine witnesses.

Section 9.050 Evidence: The Tribal Council shall state at the beginning of the hearing that all evidence, which is relevant and necessary to decide the case, is admissible.

Section 9.060 Standard for Decision: The Tribal Council may enter an order for removal or exclusion if, based on the evidence presented, the Council is reasonably certain that:

- 1) The individual or entity committed an act or omission which falls within one or more grounds for exclusion; and
- 2) That removal or exclusion is necessary to protect the health, safety, or welfare of the community.

Section 9.070 Required Quorum: A quorum of five (5) Tribal Council members must be present at all Tribal Council exclusion hearings. Five (5) Tribal Council members must vote in favor of exclusion or removal for an order to be entered.

Section 9.080 Order of Exclusion: The Tribal Council may orally advise the person of its decision at the hearing, following an opportunity to recess, and deliberate on the issues. In any case, the Council shall prepare a written order of exclusion and serve it personally or by certified mail, returned receipt requested, within five (5) days of the hearing.

Section 9.090 Order of Exclusion - Contents: Written orders for exclusion shall include:

- 1) The grounds for the decision;
- 2) The date and time the individual or entity must remove himself;
- 3) The duration the order is to be in effect;
- 4) Any circumstances under which the individual or entity may be permitted to return. For example, payment of restitution, evidence of rehabilitation, visitation of children, visitation during certain times only, and a limited time to return to pick up belongings.
- 5) A date by which the Tribal Council will review the order and circumstances or conditions attached, if the individual or entity requests a review.

Section 9.100 Records: Records of all exclusion proceedings shall be maintained in the files of the Sauk-Suiattle Tribal Court.

CHAPTER TEN: APPEAL

Section 10.010 Who May Appeal: An individual or entity who has been ordered to be removed or excluded may appeal the Tribal Council's final order. The complainant may appeal a Tribal Council or Hearing Panel's decision not to exclude or remove.

Section 10.020 Notice of Appeal: A written Notice of Appeal shall be filed with office of the Chief Judge of the Sauk-Suiattle Tribal Court within thirty (30) days of the order or decision appealed from. The appellant must serve a copy of the Notice of Appeal on the Chairman of the Sauk-Suiattle Tribal Council and the opposing party, either personally or by certified mail, return receipt requested, at the time the appeal is filed. The Chairman shall notify all members of the Tribal Council by mailing or delivering a copy of the Notice of Appeal to each member.

Section 10.030 Filing Fee: The appellant shall pay a \$20.00 filing fee to the Sauk-Suiattle Tribal Court at the time of filing.

Section 10.040 Preparing the Record: Copies of the written record of the case and transcripts of any tape recordings shall be prepared by the court clerk or other person designated by the Tribe to perform this function. The cost of preparing the record shall be borne by the appellant. The appellant shall file a copy of the record with the Chief Judge.

Section 10.050 Notice of Hearing: The Chief Judge shall set a hearing date within forty (40) days of the date the appeal was filed. The Chief Judge shall cause Notices of Hearing to be

served on the appellant, the opposing party and the Chairman of the Sauk-Suiattle Tribe Council, by certified mail, return receipt requested.

Section 10.060 Briefs: The parties may file written arguments with the Chief Judge prior to the hearing.

Section 10.070 Hearing: The appeal shall be on the record, with oral arguments limited to issues raised prior to appeal. The Chief Judge may specify the length and scope of oral argument.

Section 10.080 Standard for Review: The Chief Judge shall determine whether the procedures in this ordinance were followed and whether a reasonable relationship exists between the decision appealed from and the evidence presented.

Section 10.090 Decision: The power of the Chief Judge to render a decision on the appeal is limited to either:

- 1) Dismissing the appeal; or
- 2) Remanding the case to the Tribal Council if it is found:
 - a) that procedural errors were made which resulted in prejudice to the appellant or
 - b) that no reasonable relationship exists between the decision appealed from and the evidence presented.

Section 10.100 Written Opinion: The Chief Judge shall issue a written opinion within fifteen (15) days of rendering a decision on the appeal. The opinion shall state the reasons for the decision and shall specifically instruct the Tribal Council on any action it may be ordered to take. The opinion shall be mailed to

the parties to the appeal and to the Chairman of the Sault-Suiati
Tribal Council.

CHAPTER ELEVEN: SEVERABILITY

Section 11.010 - Severability: If any portion of this ordinance
or its application to any person or circumstance is held invalid,
the remainder of this ordinance or its application to other per
sons or circumstances is not affected.

INSTRUCTIONS: SAUK-SUIATTLE INDIAN TRIBE
CIVIL REMOVAL/EXCLUSION PROCEDURE FORMS

I. COMPLAINT:

- A. Name of person being removed/excluded. "Respondent".
- B. Name of person who is filing the complaint, "Complainant".
- C. Name of Respondent.
- D. Reasons for the complaint. What did Respondent do?
- E. Section 3.010. (page 2. Exclusion Ordinance). Mark down the reason for complaint,
- F. If emergency situation, mark yes and explain the situation.
- G. Date and signature of Complainant.
- H. Date the complaint was received by the Hearing Officer.

II. REPORT TO COUNCIL:

- A. Name of Respondent.
- B. *Statement of Facts.*
- C. Reason for Dismissal.
- D. Reason for Removal/Exclusion.
- E. Referred to Tribal Council:
Date of Hearing _____.
- F. Vice-Chairman of the Suak-Suiattle Tribal Council in the Hearing Officer of the Excluding Hearing Panel.
(Section 5.020)
- G. Date notice was received by Chairman of the Sauk-Suiattle Tribe.

III. NOTICE OF DISMISSAL:

- A. Name of Respondent.
- B. Name of Complainant.
- C. Reasons for Dismissal.
- D. Date and signature of Vice-Chairman.
- E. Date the notice is received by Respondent. Signature

IV. ORDER FOR TEMPORARY REMOVAL OR EXCLUSION:

- A. Name of Respondent.
- B. Name of Respondent.
- C. Reasons for order.
- D. Name of Respondent.
- E. Name of Respondent.
- F. Name of Respondent; Time and Date of Respondents exclusion.
- G. Date and signature of Vice-Chairman.
- H. Date the notice as received by Respondent.

V. OPPORTUNITY TO REQUEST A HEARING:

- A. Name of Respondent.
- B. Name of Respondent.
- C. Why Respondent is being excluded.
- D. Date and signature of Vice-Chairman.
- E. Date the request was received by the Respondent.
- F. Return of Service:
 - 1. Name of Respondent.
 - 2. How service was rendered.
 - 3. Date of service and signature of person making service.

VI. NOTICE OF HEARING:

- A. Name of Respondent.
- B. Name of Respondent.
- C. Time, date and place of Hearing.
- D. Reasons for the Hearing.
- E. Date of Notice and signature of Vice-Chairman.
- F. Date the Notice was received and signature of Respondent.
- G. Return of Service.
 - 1. Person who received the Notice.
 - 2. How service was rendered.
 - 3. Date of service and signature of person who served the Notice.

VII. ORDER FOR EXCLUSION:

- A. Name of Respondent.
- B. Name of Respondent.
- C. Reasons for Respondent being excluded.
- D. Name of Respondent: Time, and date Respondent is being excluded.
- E. How long the Respondent must remain off the Reservation.
- F. Ways in which the Respondent may return. (Section 9.090)(4)
- G. Review date given by Tribal Council.
- H. Date and signature of the Vice-Chairman.
- I. Date the Order is received and signature of Respondent.

VIII. NOTICE OF APPEAL:

- A. Party who is appealing an Order of Exclusion. "Appellant"
- B. Name of Appellant; date of Order being appealed.
- C. Why the Appeal?
- D. Date of Notice and signature of Appellant.
- E. Date the Notice is received by the Chief Judge.
- F. Date the Notice is received by the Chairman.
- G. Date the Notice is received by the opposing party of the appellant.

SAUK-SUIATTLE EXCLUSION ORDINANCE

FORMS

CONTAINS:

1. Instructions on how to fill out forms.
2. Sample forms to use with the written instructions, lettered to tell what to fill in on the blank forms.
3. Blank forms to use in actual cases. KEEP A MASTER.

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
 _____)
 RESPONDENT.)
 _____)

NOTICE OF HEARING

NOTICE OF HEARING IS GIVEN TO _____.

I.

TIME: _____
DATE: _____
PLACE: _____

II.

Reason(s) for the hearing: _____

III.

Respondent may be represented by counsel at his own expense.

IV.

Respondent may present testimony of witnesses and other evidence on his behalf.

v.

Failure to attend the Hearing may result in the Tribal Council entering a permanent order of exclusion or removal.

DATE

HEARING OFFICER

RECEIVED:

DATE

RESPONDENT

PAGE 2 of 2

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
 (A))
_____)
 RESPONDENT.)
_____)

NOTICE OF HEARING

NOTICE OF HEARING IS GIVEN TO _____ (B) _____.

I.

TIME: _____ (C) _____
DATE: _____
PLACE: _____

II.

Reason(s) for the hearing: _____ (D) _____

_____.

III.

Respondent may be represented by counsel at his own expense.

IV.

Respondent may present testimony of witnesses and other evidence on his behalf.

v.

Failure to attend the Hearing may result in the Tribal Council entering a permanent order of exclusion or removal.

DATE

(E)
HEARING OFFICER

RECEIVED:

DATE

(F)
RESPONDENT

PAGE 2 of 2

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
_____,)
RESPONDENT.)
_____)

ORDER OF EXCLUSION

IT IS HEREBY ORDERED THAT _____
IS EXCLUDED FROM THE SAUK-SUIATTLE RESERVATION.

I.

REASONS FOR EXCLUSION: _____

_____.

II.

_____ MUST LEAVE THE
RESERVATION AT THIS APPOINTED TIME: _____ AND AT THIS APPOINTED
DATE: _____.

III.

DURATION THE ORDER IS TO BE IN EFFECT _____.

IV.

CIRCUMSTANCES UNDER WHICH THE INDIVIDUAL OR ENTITY MAY BE
PERMITTED TO RETURN. _____
_____.

v.

DATE OF REVIEW, IF REQUESTED BY RESPONDENT: _____

DATE

HEARING OFFICER

RECEIVED:

DATE

RESPONDENT

PAGE 1 of 2

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
 (A))
 _____)
 RESPONDENT.)
 _____)

ORDER OF EXCLUSION

IT IS HEREBY ORDERED THAT _____ (B)
IS EXCLUDED FROM THE SAUK-SUIATTLE RESERVATION.

I.

REASONS FOR EXCLUSION: _____ (C)

II.

_____ (D) _____ MUST LEAVE THE
RESERVATION AT THIS APPOINTED TIME: _____ AND AT THIS APPOINTED
DATE: _____.

III.

DURATION THE ORDER IS TO BE IN EFFECT _____ (E)

IV.

CIRCUMSTANCES UNDER WHICH THE INDIVIDUAL OR ENTITY MAY BE
PERMITTED TO RETURN. _____ (F)

v.

Failure to attend the Hearing may result in the Tribal Council entering a permanent order of exclusion or removal.

DATE

(E)

HEARING OFFICER

RECEIVED:

DATE

(F)

RESPONDENT

PAGE 2 of 2

IV.

An immediate danger to health, safety, or property exists and irreparable harm is likely to occur if the respondent is not removed or excluded at once. YES _____ NO _____. EXPLAIN _____

I have read this complaint and believe it to be true.

DATE

SIGNATURE OF COMPLAINANT

RECEIVED:

DATE

HEARING OFFICER, EXCLUSION
HEARING PANEL

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs,)
 (A))
 _____,)
 RESPONDENT.)
 _____)

COMPLAINT FOR EXCLUSION
OR REMOVAL

I, _____ (B) _____, a member of the Sauk-Suiattle
Tribe, the Sauk-Suiattle Tribal Community or Tribal Law Enforcement,
file this complaint for the removal/exclusion of _____ (C) _____,
from the jurisdiction of the Sauk-Suiattle Tribe.

I.

The respondent is not a member of the Sauk-Suiattle Tribe.

II.

The respondent should be removed/excluded because _____ (D) _____

III.

The facts stated above are grounds for exclusion/removal
under the Sauk-Suiattle Exclusion Ordinance, Section 3.010 _____ (E) _____
(a-o)

IV.

An immediate danger to health, safety, or property exists and irreparable harm is likely to occur if the respondent is not removed or excluded at once. YES _____ NO _____. EXPLAIN _____ (F)

I have read this complaint and believe it to be true.

DATE

(G)
SIGNATURE OF COMPLAINANT

RECEIVED:

DATE

(H)
HEARING OFFICER, EXCLUSION
HEARING PANEL

PAGE 2 of 2

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
) vs.)
))
_____))
 RESPONDENT.)
_____))

REPORT TO TRIBAL COUNCIL

FACTS:

_____.

ACTION TAKEN/RECOMMENDATIONS:

A. Dismiss the complaint/Reason _____

_____.

B. Order for Removal/Exclusion _____

_____.

C. Referred to Tribal Council/Hearing Scheduled _____

DATE

SIGNATURE OF HEARING OFFICER

RECEIVED:

DATE

CHAIRMAN, SUAK-SUIATTLE TRIBE

SAUK-SUAIATTLA TRIBE
SAUK-SUAIATTLA RESERVATION

SAUK-SUAIATTLA TRIBE,)
)
 vs,)
)
 (A))
 _____)
 RESPONDENT.)
 _____)

REPORT TO TRIBAL COUNCIL

FACTS: _____ (B)

ACTION TAKEN/RECOMMENDATIONS:

A. Dismiss the complaint/Reason _____ (C)

B. Order for Removal/Exclusion _____ (D)

IV.

An immediate danger to health, safety, or property exists and irreparable harm is likely to occur if the respondent is not removed or excluded at once. YES _____ NO _____. EXPLAIN _____ (F)

I have read this complaint and believe it to be true.

DATE

(G)
SIGNATURE OF COMPLAINANT

RECEIVED:

DATE

(H)
HEARING OFFICER, EXCLUSION
HEARING PANEL

SAUK-SUAIATTLA TRIBE
SAUK-SUIATTLA RESERVATION

SAUK-SUIATTLA TRIBE,)
)
 vs,)
)
 _____,)
 RESPONDENT.)
 _____)

ORDER FOR TEMPORARY REMOVAL
OR EXCLUSION

The HEARING PANEL of the Suak-Suiattle Tribe enters this
Order for Temporary Removal or Exclusion of _____.

I.

Reasons for Temporary Removal or Exclusion: _____

_____.

II.

_____ may request a hearing before
the Sauk-Suiattle Tribal Council. The request must be submitted to
the Tribal Council within ten (10) days after this order is received.

III.

If _____ does not request a hearing
within ten (10) days after this order is received, the order for re-
moval or exclusion may become permanent.

IV.

_____ must leave the Reservation at
this appointed TIME: _____, and at this appointed DATE: _____.

DATE

HEARING OFFICER

RECEIVED:

DATE

RESPONDENT

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
))
 vs,)
))
 (A))

 RESPONDENT.)

))

ORDER FOR TEMPORARY REMOVAL
OR EXCLUSION

The HEARING PANEL of the Suak-Suiattle Tribe enters this
Order for Temporary Removal or Exclusion of _____ (B).

I.

Reasons for Temporary Removal or Exclusion: _____ (C)

_____.

II.

_____ (D) _____ may request a hearing before
the Sauk-Suiattle Tribal Council. The request must be submitted to
the Tribal Council within ten (10) days after this order is received.

III.

If _____ (E) _____ does not request a hearing
within ten (10) days after this order is received, the order for re-
moval or exclusion may become permanent.

IV.

(F) must leave the Reservation at
this appointed TIME: _____, and at this appointed DATE: _____.

DATE

(G)
HEARING OFFICER

RECEIVED:

DATE

(H)
RESPONDENT

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

_____)
APPELLANT,)
vs.)
SAUK-SUIATTLE TRIBE.)
_____)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT _____
APPEALS FROM THE SUAK-SUIATTLE TRIBAL COUNCIL'S FINAL ORDER DATED
_____.

I.

APPELLANT BELIEVES THE HEARING COUNCIL HAS ERRED IN THE
FOLLOWING WAYS:

_____.

DATE

APPELLANT

RECEIVED:

DATE

CHIEF JUDGE of the SAUK-SUIATTLE
TRIBAL COURT

DATE

CHAIRMAN OF THE SUAK-SUIATTLE
TRIBAL COUNCIL

DATE

APPELLEE

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

(A))
APPELLANT,)
)
vs.)
)
SAUK-SUIATTLE TRIBE.)
_____)

NOTICE OF APPEAL

NOTICE IS HEREBY GIVEN THAT _____ (B)
APPEALS FROM THE SAUK-SUIATTLE TRIBAL COUNCIL'S FINAL ORDER DATED
_____.

I.

APPELLANT BELIEVES THE HEARING COUNCIL HAS ERRED IN THE
FOLLOWING WAYS:

_____ (C)

_____.

DATE

(D)
APPELLANT

RECEIVED:

DATE

(E)
CHIEF JUDGE of the SAUK-SUIATTLE
TRIBAL COURT

DATE

(F)
CHAIRMAN OF THE SAUK-SUIATTLE
TRIBAL COUNCIL

DATE

(G)
APPELLEE

Form 100-100-100
 request of hearing
 Sauk-Suiattle
 Exclusion/Removal

SAUK-SUIATTLE TRIBE
 SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
 _____)
 RESPONDENT.)
 _____)

OPPORTUNITY TO REQUEST HEARING

This notice for the Opportunity to Request a Hearing before
 the Sauk-Suiattle Tribal Council is presented to _____.

I.

Reason(s) for the emergency removal of Respondent: _____

II.

You may request a hearing before the Sauk-Suiattle Tribal Council
 within ten (10) days after receiving this notice.

III.

Failure to request a hearing within the ten (10) days time limit may
 result in a permanent order for exclusion being entered by the Tribal
 Council against you, the Respondent.

 DATE

 HEARING OFFICER

RECEIVED:

 DATE

 RESPONDENT

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs.)
)
 (A))
 _____)
 RESPONDENT.)
 _____)

OPPORTUNITY TO REQUEST HEARING

This notice for the Opportunity to Request a Hearing before the Sauk-Suiattle Tribal Council is presented to _____ (B).

I.

Reason(s) for the emergency removal of Respondent: _____ (C)

II.

You may request a hearing before the Sauk-Suiattle Tribal Council within ten (10) days after receiving this notice.

III.

Failure to request a hearing within the ten (10) days time limit may result in a permanent order for exclusion being entered by the Tribal Council against you, the Respondent.

DATE

(D)
HEARING OFFICER

RECEIVED:

DATE

(E)
RESPONDENT

SAUK-SUIATTLE TRIBE
SAUK-SUIATTLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
 vs,)
)
 _____)
 RESPONDENT.)
 _____)

NOTICE OF DISMISSAL

This notice is give to _____, that the
Complaint for Removal/Exclusion which was filed against him/her has
been dismissed.

REASONS: _____

DATE

HEARING OFFICER

RECEIVED:

DATE

COMPLAINANT

SAUK-SUIATTLE TRIBE
SAUK-SUIATLE RESERVATION

SAUK-SUIATTLE TRIBE,)
)
vs,)
)
(A))
RESPONDENT.)
_____)
_____)

NOTICE OF DISMISSAL

This notice is give to _____ (B) _____, that the Complaint for Removal/Exclusion which was filed against him/her has been dismissed.

REASONS: _____ (C) _____

DATE

(D)
HEARING OFFICER

RECEIVED:

DATE

(E)
COMPLAINANT

Sauk-Suiattle Indian Tribe

5318 Chief Brown Lane
Darrington, WA 98241

(206) 436-0131
436-0132

(206) 435-8366

RESOLUTION # 31 -85

of the

Sauk-Suiattle Indian Tribe
of Washington

WHEREAS, the Sauk-Suiattle Tribal Council is the governing body of the Sauk-Suiattle Indian Tribe of Washington, in accordance to its Constitution and By-laws, Article III, Section I, and

WHEREAS, the Sauk-Suiattle Tribal Council is charged with protecting the health, safety, and welfare of the people of the Sauk-Suiattle Indian Tribe, and

WHEREAS, the Sauk-Suiattle Indian Tribe through its Tribal Council has the power to exclude and remove non-members from its reservation, and,

WHEREAS, the Sauk-Suiattle Indian Tribe is desirous of having fair procedure for removal and exclusion, and

NOW THEREFOR BE IT RESOLVED, that the attached Sauk-Suiattle Indian Tribe Civil Removal/Exclusion Ordinance of May 3, 1985 hereby enacted,

----- CERTIFICATION-----

The above Resolution was adopted at a regular/special Council meeting of the Sauk-Suiattle Tribal Council on May 3, 1985 at which time a quorum was present, by a vote of, 3

3 for, 0 against, 2 abstentions, 1 absent.

ATTEST:

David Moses Sr.
David Moses, Sr. Chairman
Sauk-Suiattle Tribal Council

Dora Lea Roberts
Dora Lea Roberts, Secretary
Sauk-Suiattle Tribal Council

