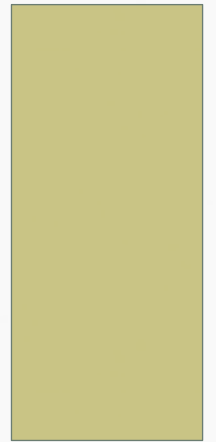


# TRIBAL COURTS

GRAND RONDE TRIBAL COURT



# SOVEREIGNTY

- Federally recognized Tribes are sovereign nations.
- Tribal sovereignty means federally recognized tribes have independent power politically, socially and economically and are able to govern themselves and make their own laws.

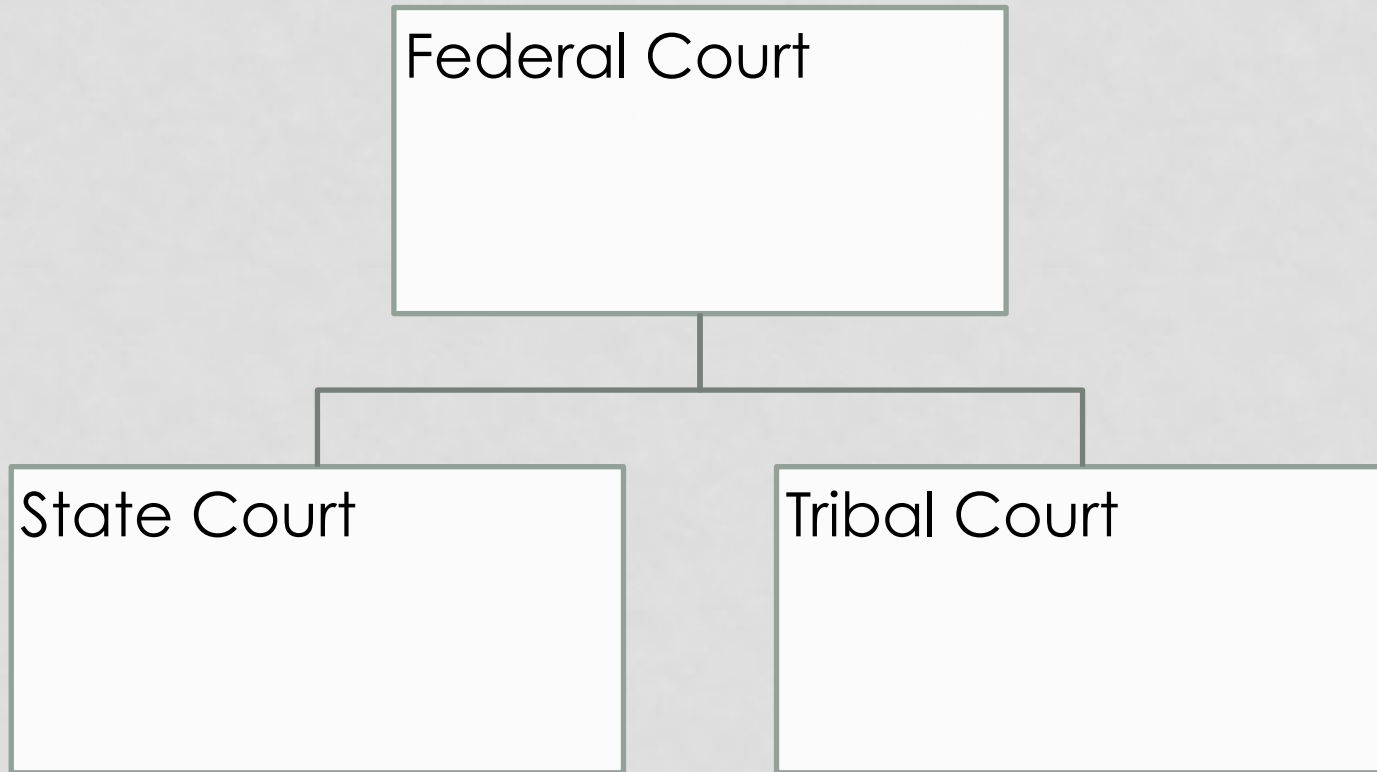
# SOVEREIGNTY

- Essentially, federally recognized tribes are nations within a nation.
- Think of it as if another country, such as Canada, were to be dropped in the middle of the US. Canada is still its own country and still runs according to its own laws and membership, but now it's a nation within a nation. The same thing applies to federally recognized tribes and their reservations.

# HISTORY OF TRIBAL COURTS

- Tribal Courts have existed since time immemorial
- Tribes have been keeping the peace and administering justice in their homelands through the use of ancient laws, traditions, and customs.
- Historically, the US had recognized the inherent sovereignty of Indian nations to “make their own laws and to be ruled by them.”

# US COURT SYSTEMS



# FEDERAL AND STATE COURTS

- Federal and State Courts are established and given authority as a result of the U.S. and various state constitutions.
- State Courts are Courts of general jurisdiction within their state boundary lines.
- Federal Courts are reserved for questions of Federal Law, cases in controversy over \$75,000.
- Essentially, Federal Courts oversee the country, while State Courts oversee their specific states.



# LIMITATIONS OF TRIBAL COURTS

## ➤ Criminal Jurisdiction:

➤ Cannot prosecute non-Indians even if crime is committed on their reservation

➤ Cannot impose sentences for more than one year for any one crime committed.

# LIMITATIONS OF TRIBAL COURTS

## ➤ Civil Jurisdiction:

- Can exercise jurisdiction on non-Indians if they have entered into a consensual relationship with the Tribe or Tribal member.
- Examples: Divorces, contracts, Child Welfare
- Can also impose public safety code



# GRAND RONDE TRIBAL COURT

- Established in 1984 by the CTGR Constitution.
- First cases were transferred to the Court in 1990.
- Filed over 700 cases have been filed in the Tribal Court
- Conduct approximately 125 hearings a year



# GRAND RONDE TRIBAL COURT

One Chief Judge

3 Court of Appeals Judges

Court Administrator

Court Clerk

Court Program's Specialist

# FAMILY LAW CASES

- Child Abuse and Neglect
- Non-Contested Divorces
- Name Changes
  - - Minors and Adults
- Adoptions
- Emancipations
- Guardianships



# ADMINISTRATIVE REVIEW

- Employment
- Ethics
- Enrollment
- Hunting/Fishing License Revocations
- Gaming Commission License Denials
- Appeals under Minor Forest Products Ordinance
- Appeals under Tobacco Ordinance