

# Oneida Nation

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Oneida, WI 54155

## BC Resolution # 01-24-18-B

### Amendment to Opening Date of the Legal Resource Center to August 1, 2018

- WHEREAS,** the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and
- WHEREAS,** the Oneida General Tribal Council is the governing body of the Oneida Nation; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** on November 14, 2016, the Oneida General Tribal Council directed the Oneida Business Committee to establish a legal office consisting of elected advocates and an elected advising attorney to represent Tribal members and employees in any type of litigation at the Oneida Judiciary and to advise the Oneida General Tribal Council during duly called General Tribal Council meetings; and
- WHEREAS,** the Oneida General Tribal Council required the advising attorney and advocate positions to be placed on the ballot for the 2017 General Election; and
- WHEREAS,** on May 24, 2017, the Oneida Business Committee enacted emergency legislation pursuant to resolution # BC-05-24-17-A which established the Legal Resource Center and set the following transition schedule
- (1) *Elections.* The elections for the Legal Resource Center were held during the 2017 general election. The election process followed the Nation's Election law and during the first Legal Resource Center election, the Advocates' terms shall be as follows:
    - a. The candidate for Advocate with the highest number of votes shall be elected to a term of four (4) years.
    - b. The candidate for Advocate with the next highest number of votes shall be elected to a term of three (3) years.
    - c. In the event of any tie vote, the provisions of the Nation's Election law for resolving a tie vote shall determine the outcome.
  - (2) *Legal Resource Center Opening.* The Legal Resource Center shall be open to Tribal members and employees beginning on February 1, 2018; and
- WHEREAS,** there was no nominations or applications for the advising attorney position on the ballot of the 2017 General Election held on July 8, 2017; and
- WHEREAS,** a public meeting was held on July 20, 2017, in accordance with the Legislative Procedures Act for the permanent adoption of the Legal Resource Center Law and no comments were received; and
- WHEREAS,** on September 09, 2017 the Oneida Business Committee adopted the Legal Resource Center law pursuant to resolution # BC-09-13-17-L; and
- WHEREAS,** on October 14, 2017 a Tribal Caucus was held with no nominations for the advising attorney position, there were no applications submitted by the October 20, 2017, deadline

and as a result there were no candidates for the advising attorney position on the ballot for the December 02, 2017 Special Election; and

**WHEREAS,** the advocates elected during the July 2017 General Elections and have been working to set up the Legal Resource Center offices, drafting procedures for accepting clients, and identifying training for brief writing, representation processes, and hearing processes, as well as on various laws of the Nation; and

**WHEREAS,** the advocates have identified that additional training is needed to be fully prepared to open the Legal Resource Center without having an advising attorney available to provide mentoring and assistance; and

**WHEREAS,** the Oneida Business Committee agrees the lack of an attorney mentoring and advising the advocates places a greater burden on the advocates to obtain additional training to meet the needs of clients that may come to the Legal Resource Center and to provide adequate representation;

**NOW THEREFORE BE IT RESOLVED,** that the Oneida Business Committee amends resolutions # BC-05-24-17-A and BC-09-13-17-L to set the new opening date of the Legal Resource Center as August 1, 2018.

**BE IT FUTHER RESOLVED,** that the Treasurer shall identify appropriate personnel to assist the Legal Resource Center advocates in developing the FY2019 budget for that office, including the addition of personnel to assist with receptionist and clerical duties.

**BE IT FINALLY RESOLVED,** the Business Committee Support Office shall assist the Legal Resource Center offices with receptionist and clerical duties beginning July 1, 2018 and concluding upon adoption of the FY2019 budget and hiring the receptionist/clerical staff.

#### **CERTIFICATION**

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of 9 members of whom 5 members constitute a quorum; 7 members were present at a meeting duly called, noticed and held on the 24<sup>th</sup> day of January, 2018; that the forgoing resolution was duly adopted at such meeting by a vote of 6 members for, 0 members against, and 0 members not voting; and that said resolution has not been rescinded or amended in any way.



Lisa Summers, Secretary  
Oneida Business Committee

\*According to the By-Laws, Article I, Section 1, the Chair votes "only in the case of a tie."