

Oneida Tribe of Indians of Wisconsin



Oneidas bringing several hundred bags of corn to Washington's starving army at Valley Forge, after the colonists had consistently refused to aid them.



UGWA DEMOLUM YATEHE
Because of the help of
this Oneida Chief in
cementing a friendship
between the six nations
and the colony of
Pennsylvania, a new
nation, the United States
was made possible.

BC Resolution 04-13-11-D

Emergency Amendments to the Child Custody, Placement and Visitation law to Address Moving and Extended Removal of a Child

- WHEREAS,** the Oneida Tribe of Indians of Wisconsin 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 Tribe of Indians of Wisconsin; and
- WHEREAS,** the Oneida Business Committee has been delegated the authority of Article IV of the Oneida Tribal Constitution by the Oneida General Tribal Council; and
- WHEREAS,** the Tribe enacted the Child Custody, Placement and Visitation law to provide a Tribal venue for legal custody, physical placement, and visitation orders based on the facts surrounding each case and the best interest of the child; and
- WHEREAS,** the Child Custody, Placement and Visitation law does not specifically address the situation where parents have a custody and placement order and a parent wishes to move out of state; and
- WHEREAS,** it is important to have a procedure in place in which a moving parent can give notice to the non-custodial parent, and then if that parent objects, a hearing can be held; and
- WHEREAS,** such a procedure can prevent a potentially volatile situation if a parent moves out of state in violation of a court order and does not allow the other parent to see the child; and
- WHEREAS,** the Administrative Procedures Act (APA) authorizes the Oneida Business Committee to enact legislation on an emergency basis, to be in effect for a period of six (6) months, renewable for an additional six (6) months; and
- WHEREAS,** the emergency adoption of amendments to the Child Custody, Placement and Visitation law to address parents who want to move out of state is necessary for the preservation of the public health, safety, or general welfare of the reservation population, and that observance of the regular APA adoption requirements for passage of laws would be contrary to public interest.

NOW THEREFORE BE IT RESOLVED, that the attached amendments to the Child Custody, Placement and Visitation law are hereby adopted on an emergency basis.

CERTIFICATION

I, the undersigned, as Secretary of the Oneida Business Committee, hereby certify that the Oneida Business Committee is composed of nine (9) members of whom five (5) members constitute a quorum. 8 members were present at a meeting duly called, noticed and held on the 13th day of April 2011; that the foregoing resolution was duly adopted at such meeting by a vote of 7 members for; 0 members against and 0 members not voting; and that said resolution has not been rescinded or amended in any way.

A handwritten signature in cursive script, appearing to read "Patricia Hoeft", written over a horizontal line.

Patricia Hoeft, Tribal Secretary
Oneida Business Committee

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