

Oneida Nation

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Oneida, WI 54155

BC Resolution # 07-13-22-D Adoption of the Healing to Wellness Court Law

- 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,** the purpose of the Healing to Wellness Court law (“the Law”) is to establish the Nation’s Healing to Wellness Court to: offer intensive case management, treatment, and court supervision to individuals who committed an offense directly or indirectly related to a substance abuse or addiction issue; provide access to holistic, structured, and phased substance abuse treatment and rehabilitation services that incorporate culture, tradition, and Tsi Niyukwaliho t[^] (Our Ways); create intragovernmental and intergovernmental collaborative teams to interact with each participant; and encourage and support each participant in the goal of their recovery to lead lawful productive lives free of substance abuse and addiction; and
- WHEREAS,** it is the policy of the Nation to bring together community-healing resources with the Nation’s justice system to work collaboratively with intragovernmental and intergovernmental partnerships to reduce the abuse of alcohol and other drugs and drug-related criminal activity affecting the Nation’s community in an effort to promote life-long substance abuse recovery and the reintegration of participants into the Oneida community; and
- WHEREAS,** the Law establishes the Healing to Wellness Court as a division of the Trial Court and delegates jurisdiction to the Healing to Wellness Court for matters related to substance abuse and addiction, and any matter arising under this Law; and
- WHEREAS,** the Law delegates authority to the Healing to Wellness Court to collaborate and enter into intergovernmental agreements with other courts of competent jurisdiction that exercise concurrent jurisdiction; and
- WHEREAS,** the Law establishes the Healing to Wellness Court team, comprised of a Trial Court Judge, Court Coordinator, Oneida Police Department Officer, representative from Probation, Substance Abuse Treatment provider, representative of Oneida culture and heritage, and any other member as determined by the Team, and provide how any revisions to the composition of the Healing to Wellness Court team are made; and
- WHEREAS,** the Law delegates authority to the Healing to Wellness Court to establish policies and procedures governing the operation and implementation of the Healing to Wellness Court program; and

WHEREAS, the Law provides that all Healing to Wellness Court Team meetings and hearings are closed to the public, and held in accordance with the policies and procedures created by the Healing to Wellness Court; and

WHEREAS, the Law provides that the Healing to Wellness Court is a non-adversarial forum, where the Oneida Judiciary Rules of Evidence and Oneida Judiciary Rules of Civil Procedure do not apply; and

WHEREAS, in accordance with the Legislative Procedures Act a legislative analysis and fiscal impact statement were developed for this Law; and

WHEREAS, a public meeting on this proposed Law was held on May 4, 2022, and the public comment period was held open until May 11, 2022; and

WHEREAS, the Legislative Operating Committee accepted, reviewed, and considered all public comments received on May 18, 2022; and

NOW THEREFORE BE IT RESOLVED, that the Healing to Wellness Court law is hereby adopted and shall become effective on July 27, 2022.

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 13th day of July, 2022; 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 Liggins, Secretary
Oneida Business Committee

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