



A RESOLUTION OF THE TRIBAL COUNCIL OF THE DELAWARE TRIBE OF INDIANS CONCERNING THE UTILIZATION OF THE DELAWARE TRIBAL COURT TO MAINTAIN SOVEREIGNTY AND FEDERAL FUNDS

RESOLUTION 2020-08

Authored by: Delaware Tribal Court and Chief Chester Brooks

WHEREAS, the Delaware Tribal Council is authorized by Article V of the Constitution and Bylaws of the Delaware Tribe of Indians to represent and act in all matters that concern the general welfare of the Tribe; and,

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians adopts this Resolution requiring Delaware Family and Children's Services (DFCS) to utilize the Delaware Tribal Court in any Child Support Case within the Delaware Tribal Jurisdiction, contingent on the agreement of both parties to have their case heard in Tribal Court. Furthermore, any child support cases that currently fall under the jurisdiction of the Delaware Tribal Court and currently being heard in other tribal courts, are to be remanded to the Delaware Tribal Court expeditiously and without delay.

WHEREAS, the Delaware Family and Children's Services is required to work with the Delaware Tribal Court as indicated in the job description for the Director of DFCS. Interference from the Tribal Operations Manager or anyone outside the Delaware Tribal Court, is seen as an attempt to stymie the Court and not only hinders the Court from doing its due diligence, but also jeopardizes the federal recognition of the Tribe and its sovereignty.

WHEREAS, the Delaware Tribal Council of the Delaware Tribe of Indians adopts and approves the following:

1. DFCS will comply with all Court requests/orders, including grants, guidelines and full accounting requests.
2. DFCS will ensure that any child support cases that involve Delaware members and are within the Court's jurisdiction, currently being adjudicated and managed by other Tribal Courts, are immediately and without delay remanded back to the Delaware Tribal Court.
3. Delaware Tribal Operations Manager will refrain from interjecting or interfering with the relationship between the Delaware Tribal Court and DFCS.

NOW THEREFORE BE IT RESOLVED, the Delaware Tribal Council of the Delaware Tribe of Indians does hereby authorize and approve Delaware Family and Children's Services (DFCS) to utilize the Delaware Tribal Court in any Child Support Case within the Delaware Tribal Jurisdiction, contingent on the agreement of both parties to have their case heard in Tribal Court without interference.

TABLED

CERTIFICATION

I hereby certify that the foregoing was considered by the Delaware Tribal Council of the Delaware Tribe of Indians and adopted this _____ day of _____ 2020 with a vote of ____ yes, ____no, and ____ abstaining.

Chet Brooks, Chief

Attested by: Charles Randall, Assistant Chief