



Saint Regis Mohawk Tribe

Chief Beverly Cook
Chief Michael Conners
Chief Donald Thompson, Jr.
Sub-Chief Derrick King
Sub-Chief Agnes Jacobs
Sub-Chief Benjamin Herne

TRIBAL COUNCIL RESOLUTION

2025 - 14

TO PROHIBIT THE ISSUANCE OF ORDERS OF PROTECTION

WHEREAS, the Saint Regis Mohawk Tribal Council (the “Tribal Council”) is the duly recognized governing body of the Saint Regis Mohawk Tribe (the “Tribe”) and is responsible for the health, safety, education and welfare of all community members; and

WHEREAS, the Tribal Council after implementing a tribal court system in Tribal Council Resolution (“TCR”) TCR 2007-01, adopted the Tribal Court and Judiciary Code in TCR 2008-22, which was later amended in TCR 2012-13 and TCR 2017-62; and

WHEREAS, the Tribal Council possesses both Executive and Legislative Authority for the Tribe; and

WHEREAS, the Saint Regis Mohawk Tribal Court (“Tribal Court”) under the Tribal Court and Judiciary Code has been granted certain powers including the power to interpret Tribal Laws, but the Tribal Court is limited to those judicial powers as granted by Tribal Council; and

WHEREAS, the Tribe adopted the Judicial Oversight Commission Ordinance in TCR 2011-44, which was later amended in TCR 2023-06, TCR 2024-07 and TCR 2024-50; and

WHEREAS, the Judicial Oversight Commission Ordinance grants the Judicial Oversight Commission the authority to enforce the obligation of judges to observe high standards of conduct and grants it the power to discipline judges who transgress ethical constraints; and

WHEREAS, the Tribe adopted Chapter 2-Marriage, Divorce, and Custody of the Tenkwahswanón:Na I Family Court Code (“Family Court Code”) in TCR 2022-58, which was later amended in TCR 2024-08; and

WHEREAS, the Family Court Code enacted by TCR 2022-58 included a provision related to civil orders of protection in the context of a divorce; and

WHEREAS, due to serious concerns raised by several Tribal programs, the power to issue those civil orders of protection was removed in TCR 2024-58; and

WHEREAS, the Tribal Court continued to issue orders of protection after the Family Court Code was amended; and

WHEREAS, the Tribal Council is aware of challenges facing the Tribe and the ability for Tribal orders of protection to be recognized and enforced by other jurisdictions and the need for greater collaboration and communication within Tribal programs and agencies, as well as the need for greater collaboration and communication with external programs and agencies; and

WHEREAS, the Tribal Council as the legislative authority of the Tribe finds it is in the best interests of the community that the Tribal Court is prohibited from issuing orders of protection of any kind, and in any matter, until further notice; and

WHEREAS, the Tribal Council find that it is in the best interests of the community for the Tribal Court along with other Tribal programs and agencies to include but not be limited to, the Saint Regis Mohawk Tribe Police Department, the Saint Regis Mohawk Tribe Social Services Division and the Three Sisters Program to work together to identify and address the barriers to effective enforcement of Tribal orders of protection.

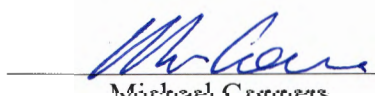
NOW, THEREFORE, BE IT RESOLVED, that the Saint Regis Mohawk Tribal Council mandates the following:

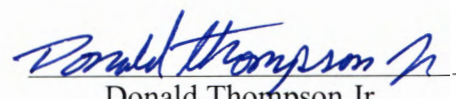
1. The Saint Regis Mohawk Tribal Court shall not issue any orders of protection in any matter until further notice;
2. The Saint Regis Mohawk Tribal Court shall work with other Tribal programs and agencies to include, but not be limited to, the Saint Regis Mohawk Tribe Police Department, the Saint Regis Mohawk Tribe Social Services Division and the Three Sisters Program to work together to identify and address the barriers to effective enforcement of Tribal orders of protection; and
3. The Saint Regis Mohawk Tribal Court shall identify and complete relevant training regarding the issuance of orders of protection in domestic violence, custody, divorce or sexual assault matters as well as other forms of injunctive relief; and
4. There shall be signage visible to the public within the waiting room and at the desk where petitions are accepted that states the following: "We cannot accept petitions requesting orders of protection (protective orders) at this time."

BE IT FINALLY RESOLVED, this Resolution shall take effect upon signing.

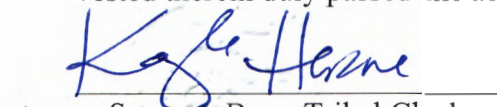
SAINT REGIS MOHAWK TRIBAL COUNCIL



Beverly Cook
Tribal Chief


Michael Connors
Tribal Chief


Donald Thompson Jr.
Tribal Chief

CERTIFICATION: This is to certify that the Saint Regis Mohawk Tribal Council pursuant to the authority vested therein duly passed the above resolution.


for Summer Bero, Tribal Clerk


Date