RESOLUTION NO. 050923-A

A RESOLUTION APPROVING THE PURCHASE OF TWO (2) POLICE PACKAGE CHEVROLET TAHOE’S FOR THE MARSHALS SERVICE

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation’s business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Marshals Service is in need of two (2) additional patrol vehicles to replace current aged, high mileage units. The recent McGirt court ruling has resulted in additional hiring in response to the additional workload. Having solicited qualified vendors, and performing due diligence in accordance with current policy and ensuring that sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for two (2) police package Chevrolet Tahoe’s for the Quapaw Nation Marshals Service is approved by the Quapaw Nation Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 9, 2023, with a vote reflecting 4 yes, 0 no, 3 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 051823-A

A RESOLUTION APPROVING THE PURCHASE OF A 2015 GMC SIERRA 3500HD FOR THE FACILITIES DEPARTMENT TO MOVE HEAVY EQUIPMENT

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Facilities department requires a truck to move heavy equipment without assistance from other departments. Having solicited qualified vendors, and performing due diligence in accordance with current policy and ensuring sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for a 2015 GMC Sierra 3500HD for the Facilities department is approved by the Quapaw Nation Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through an electronic poll of the Quapaw Nation Business Committee on May 18, 2023, with a vote reflecting 4 yes, 0 no, 3 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Katheryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-A

A RESOLUTION APPROVING THE PURCHASE REQUEST FOR CONSTRUCTION OF AN OUTDOOR PAVILION FOR THE FOOD SOVEREIGNTY PROGRAM

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Food Sovereignty program has a need for an outdoor structure for program activities. Having solicited qualified vendors and performing due diligence in accordance with current policy and ensuring sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for construction of an outdoor pavilion for the Food Sovereignty program is approved by the Quapaw Nation Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 3 yes, 0 no, 2 vacant, 2 abstaining, and 0 absent.

Callie Bowden, Vice Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-B

A RESOLUTION APPROVING THE IMPROVEMENT TO ELECTRICAL INFRASTRUCTURE OF THE QUAPAW POWWOW GROUNDS

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the current electrical infrastructure of the Quapaw Pow Wow grounds requiring improvement to adequately support functions held on the grounds. Having solicited qualified vendors, provided adequate public notice, and performed due diligence in accordance with current policy and ensuring sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for electrical infrastructure improvement to the Quapaw Pow Wow grounds is approved by the Quapaw Nation Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 5 yes, 0 no, 2 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-C

A RESOLUTION GRANTING ACCESS TO THE QUAPAW NATION MAINTENANCE DEPARTMENT TO MAINTAIN THE CEMETERY LOCATED ON ALLOTMENT AND AUTHORIZING EXECUTE THE ACCESS AGREEMENT ON BEHALF OF THE QUAPAW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation understands it holds an undivided restricted interest in the amount of and the Business Committee of the Quapaw Nation agrees to grant a permit for access to the Maintenance Department of the Quapaw Nation to maintain (mowing, weed eating and other duties as deemed necessary) the cemetery site as needed on . Said land is described as:
THEREFORE, BE IT RESOLVED by the Quapaw Nation Business Committee that the Tribal Vice-Chair or an authorized representative of the Quapaw Nation is hereby authorized to execute the said permit for access located under the jurisdiction of the Quapaw Nation, and to promote tribal self-determination and such other uses as may be determined on the allotment of

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Katheryn Supernaw, Secretary/Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-D

A RESOLUTION AUTHORIZING THE PURCHASE OF RESTRICTED INTEREST IN LAND (SURFACE ONLY) LOCATED UNDER THE JURISDICTION OF THE QUAPAW NATION AND AUTHORIZING THE VICE-CHAIR OR AN AUTHORIZED REPRESENTATIVE TO EXECUTE THE PURCHASE ON BEHALF OF THE QUAPAW NATION.

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee supports the purchase of an undivided restricted interest outright from an undivided interest in multiple tracts that total 80.623 acres m/l in Surface Only for her undivided restricted interest. Said land is described as:

PLEASE SEE ATTACHMENT A

THEREFORE BE IT RESOLVED by the Quapaw Nation Business Committee that the Tribal Chairperson or an authorized representative of the Quapaw Nation is hereby authorized to negotiate and execute the purchase of Restricted Interest in land (Surface Only) located under the jurisdiction of the Quapaw Nation, and to promote tribal self-determined and such other uses as may be determined.
THEREFORE BE IT FURTHER RESOLVED, that the Quapaw Nation request the Secretary of the Interior or an authorized representative approve said purchase of undivided interest in the allotments listed on the Attachment A from to the Quapaw Nation.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

[Signatures]

Callie Bowden, Vice-Chairman
Quapaw Nation Business Committee

Wena Katheryn Supernaw, Secretary/Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-E

A RESOLUTION APPOINTING QUAPAW NATION BUSINESS COMMITTEE MEMBER LINDA DAVIS AS AN ALTERNATE REPRESENTATIVE OF THE QUAPAW NATION TO THE NATIVE TRIBAL HEALTH SYSTEM (NTHS) GOVERNING BOARD

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee wishes to appoint Business Committee Member Linda Davis as the alternate representative of the Quapaw Nation to the Northeastern Tribal Health System (NTHS) Governing Board; and

NOW THEREFORE BE IT RESOLVED that the Quapaw Nation Business Committee hereby appoints Linda Davis as the alternate representative to the Northeastern Tribal Health System (NTHS) Governing Board.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-F

A RESOLUTION DESIGNATING THE QUAPAW NATION’S REPRESENTATIVES TO THE INTER-TRIBAL BUFFALO COUNCIL

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation’s business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation wishes to join the Inter-Tribal Buffalo Council (ITBC) for the year 2023;

THEREFORE BE IT RESOLVED that the Quapaw Nation appoints the following delegate and alternate delegates as the Nation’s representatives to the ITBC;

Delegate:    Wena Kathryn Supernaw
Alternate(s): Mitch Albright
            Tee Jay Rogers

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-G

A RESOLUTION TO AUTHORIZE THE USE OF TRUST/RESTRICTED LAND LOCATED UNDER THE JURISDICTION OF THE QUAPAW NATION FOR FARMING AND GRAZING AND TO AUTHORIZE THE EXECUTION OF THE LEASE ON BEHALF OF THE QUAPAW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee supports the agriculture lease to the Quapaw Cattle Company for the use of the Tribe's restricted interest, of which a portion is subject to life use. The Nation understands that it owns beneficial use in restricted interest in the amount of in the below-described Trust/Restricted land, and this is the amount that would be used to determine the Nation's proportionate share of monetary compensation; however, the Nation's interest will not be compensated through the lease as the lessee is a business entity of the Nation. The annual rental amount of as stated on the lease, will be divided amongst the remaining individual restricted/trust landowners based on their proportionate share of beneficial ownership. Said land is described as:
NOW THEREFORE BE IT RESOLVED by the Business Committee of the Quapaw Nation that the Tribal Chairperson or an authorized representative of the Quapaw Nation is hereby authorized to execute a lease for Farming and Grazing, and to promote tribal self-determination and such other uses as may be determined, including commercial operations acceptable to the lessor.

THEREFORE BE IT FURTHER RESOLVED that the Quapaw Nation requests that the Secretary of the Interior or an authorized representative approve said lease on the allotment of

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chairman
Quapaw Nation Business Committee

Wena Katheryn Supernaw, Secretary/Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-H

A RESOLUTION ADOPTING COURT RULES FOR THE QUAPAW NATION COURT

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

THEREFORE BE IT RESOLVED that the Quapaw Nation Business Committee hereby authorizing that the Quapaw Nation Court Rules be adopted.

THEREFORE BE IT FURTHER RESOLVED that these Court Rules for the Quapaw Nation Court shall become effective and shall supersede any other Court Rules.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
IN THE COURT OF THE QUAPAW NATION
(THHE O-GA-H-PAH)

RE: Quapaw Nation Court Rules

CASE NO: ADMIN-23-02

ORDER

Pursuant to the administrative authority vested in the Chief Judge by the Quapaw Nation, the attached Court Rules for the Quapaw Nation Court shall become effective April 13th, 2023, and it shall supersede any other Court Rules prior to this such date. By Administrative Order No: ADMIN-23-01. The Quapaw Nation Court shall distribute the attached Court Rules to the Court Clerk of the Quapaw Nation to be posted at location of the Quapaw Nation Court and online through the Quapaw Nation Courts website.

Done by order of the Quapaw Nation Court this 13th day of April, 2023.

4/13/2023
/s/ A. Diane Hammons
Chief Judge

4/13/2023
/s/ GARY PITCHALLAN
Judge
COURT RULES

CHAPTER I – COURT RULES FOR QUAPAW NATION COURT

RULE 1.1 - ENTRY OF APPEARANCE

a. No attorney may appear in a case without first having filed a written Entry of Appearance with the Court Clerk.

b. If appointed by the Court, the appointed attorney needs to promptly file an Entry of Appearance with the Court Clerk.

c. An Entry of Appearance requires the attorney’s mailing address, email address, and phone number.

RULE 1.2- BEHAVIOR AND ATTIRE OF ATTORNEYS

a. Attorneys are to be considered officers of the Court. As such, their behavior toward the Court, and within the courtroom, shall set an example for the public. Their responsibility is, at a minimum, to be courteous and civil.

b. Attorneys must wear business attire for all courtroom appearances.

c. Attorneys must always use the appropriate courtroom decorum. Good manners and decorum require the following:

1. An attorney shall address all arguments to the Court, not to opposing counsel.

2. An attorney shall stand when addressing the Court.

3. An attorney shall stand where the Court, the witness, the jury and the court reporter can hear them, especially when the attorney is examining a witness.

4. An attorney shall not sit on the counsel table.

5. An attorney shall not hold conferences in the courtroom when the Court is in session, and an attorney shall not engage in loud or distracting conversations with clients, witnesses, or other attorneys when Court is in session.

6. An attorney should advise his or her clients as to the impropriety of discussing any aspect of a pending case with the judge.

RULE 1.3- PUNCTUALITY OF ATTORNEYS
a. Attorneys must be punctual in arriving for a scheduled hearing. Sometimes, it may be unavoidable that the attorney is late for a court setting or a court docket, but to be consistently late demonstrates a lack of courtesy to the Court as well as the other parties, witnesses, and attorneys.

b. An attorney who finds it impossible to be on time should immediately inform the Court and provide a reasonable excuse for the delay.

c. An attorney who is consistently tardy may be assessed attorney fees and expenses where said tardiness cause financial or judicial hardship on any party, including the attorney’s own client.

d. Opposing counsel may apply to the Court, when appropriate, for sanctions under this rule.

e. An attorney who arrives late or who does not appear before the Court without any explanation or without informing the Court may be assessed sanctions by the Court Sua sponte.

RULE 1.4- COURTROOM ACTIVITIES

a. Any activity or noise in or near the courtroom that may disrupt or disturb Court proceedings shall be prohibited. A courtroom may not be used for any other purpose other than its inherent judicial function unless the conduct has been explicitly allowed by the Court. Eating, drinking, chewing gum, use of tobacco in any form, is forbidden in the courtroom. The use of cameras or recorders is not allowed in the courtroom. The use of cellular phones, laptops, tablets, iPads, and other wireless communication devices are not allowed to be used in the courtroom except by exempted individuals under 1.4(b).

b. Exempted Individuals.

The following individuals may use wireless communication devices in the courtroom, but they may not use any devices for calls or other functions that are disruptive to the Court:

1. Attorneys admitted to the Court on an Entry of Appearance;

2. Individuals who frequently assist attorneys in legal matters such as legal assistants, paralegals, expert witnesses, technical consultants, or couriers. These individuals must have an attorney in the case notify a Court security officer that they are authorized;

3. Employees who work in the courthouse.

c. The Court may physically remove and exclude any attorney and/or any party who is in violation of these court rules. Repeat violations of the rules may result in the Court holding any attorney and/or party in contempt of Court.
d. For all Juvenile cases, everyone except the following individuals be restricted from the courtroom:

1. Attorneys with matters on the docket, and their legal assistants.
2. Any employee of Quapaw Nation Indian Child Welfare
3. The juvenile
4. Parents, legal guardians, physical custodians of the juvenile
5. Any witness is scheduled to testify in the juvenile proceeding.
6. Employees of the Quapaw Nation Court

Any individual(s) other than those listed above with information pertaining to the juvenile matter may remain in the courtroom only to provide their report to the Court and will thereafter be restricted from the remainder of the matter.

**RULE 1.5- DRESS CODE FOR PARTIES, WITNESSES AND SPECTATORS**

Any party, witness, or spectator, who enters the courtroom must be dressed appropriately. Hats and sunglasses are not allowed in the courtroom. No clothing with any potentially offensive wording or depictions on it is permitted in the courtroom by anyone.

**RULE 1.6- COURT FILES**

a. Original records on file in the Court Clerk's office may not be removed from the Courthouse.

b. Copies of the file may be obtained by advance request to the Court Clerk's office and by paying $1.00 for the first page and 50 cents for every page after.

c. Copies can be requested by mail or in person. A request form is available online or in the Court Clerk’s office.

d. Confidential copy requests must be approved by the signature of a Judge of Quapaw Nation Court. A release of confidential information is available online or in the Court Clerk’s office.

e. Confidential and sealed records may not be removed from the Court Clerk's office. Confidential and sealed records may not be examined by any person except an attorney of record in the case under the supervision of the Court Clerk or a party to the case under the same supervision.

**RULE 1.7- COURTROOM ACTIVITIES AND CONDUCT**

a. No gun, knife, or other potentially dangerous weapon is permitted in the courtroom. Further, anyone entering the courtroom is subject to having their person and/or belongings thoroughly searched by a bailiff and/or a law enforcement officer.

b. Everyone entering the courtroom is advised of the following courtroom rules:
1. Bringing small children into the courtroom is prohibited, unless explicitly allowed by the presiding Judge.

2. Gum chewing is prohibited in the courtroom.

3. Eating and/or drinking anything is prohibited in the courtroom (an exception to this rule is that a party or a witness may have bottled water and an attorney may have water and/or coffee).

4. Tobacco use of any kind is prohibited in the courtroom, and smoking is prohibited in the courthouse.

5. Wearing sunglasses is prohibited in the courtroom.

6. Wearing a hat is prohibited in the courtroom.

7. Cell phones or other electronic devices are prohibited in the courtroom, unless accepted in Rule 1.4(b).

RULE 1.8- WITHDRAWAL OF COUNSEL

a. Counsel must obtain leave of Court to withdraw from any case.

b. The Court may either grant a motion for leave to withdraw from a case if the motion is unopposed or set the matter for a hearing. If the Court sets the motion for a hearing, the withdrawing party must provide notice of said hearing to the remaining parties.

c. A motion for leave to withdraw within thirty (30) days of a criminal trial will only be granted under compelling circumstances.

d. A motion for leave to withdraw must state the client’s last known mailing address, phone number, email address for the defendant, and whether a pending hearing is scheduled.

e. Once the order permitting leave to withdraw as counsel has been signed by the judge, it is to be immediately filed with the Court Clerk’s office.
CHAPTER II - PLEADINGS AND MOTIONS

Rule 2.1- SERVICE AND PROOF OF SERVICE OF MOTIONS AND PLEADINGS

a. **Contact information.** All papers shall contain the name, mailing address, daytime telephone number, and e-mail address, if any, of the attorney or pro se party. If any of this information changes, the attorney or pro se party must notify the Court by filing the form provided by the Clerk and serving a copy on opposing counsel or pro se parties. Papers sent by the Court will be deemed delivered if sent to the last known address given to the Court.

b. **Filing.** All papers after the petition required to be served upon a party shall be filed with the court clerk either before service or within a reasonable time thereafter. A duplicate of any paper is acceptable for filing with the court and will have the same force and effect as an original. Papers may be filed by facsimile or other electronic means directly to the court or the court clerk as permitted by these rules.

RULE 2.2- MOTIONS

a. **Notice.** All parties and/or their counsel are entitled to notice of hearings and/or trial in every case. The filing party is obligated to ensure its motion or other matter is set to be heard at a date and time certain, and that all parties in the case receive notice of such court proceedings. Attorneys filing a motion shall request a court date from the Court Clerk and prepare an Order setting hearing. A written notice of a hearing or trial shall contain a certification by the judge, court personnel or attorney identifying those parties and/or their counsel to whom the notice has been served and in what matter. Except in those instances in which the law requires a notice to be signed by a judge, a clerk may sign a notice of a hearing. A notice signed by a clerk, if properly served, will be a sufficient basis for a finding and decision by default. The notice shall contain a statement of that which is to be heard, the date and time of the hearing and any other information necessary to give adequate notice of the hearing.

b. **Stated request.** Each motion must state the relief or order sought and its legal grounds. Each motion must be accompanied by a concise brief or a list of authorities upon which the movant relies. Unless the court directs otherwise, neither a brief nor a list of authorities is required with respect to any of the following motions:

1. Motions for extensions of time, if the request is made before expiration of the time period as originally prescribed or as extended by previous orders.

2. Motions to continue a hearing, pretrial conference, or trial;

3. Motions to amend pleadings or file supplemental pleadings;
4. Motions to file an oversized brief;

5. Motions to compel discovery responses when no response has been made;

6. Motions to appoint a guardian ad litem;

7. Motions for physical or mental examinations;

8. Motions to add or substitute parties;

9. Motions to enter or vacate default judgments;

10. Motions to confirm sales;

11. Motions to stay proceedings to enforce judgments;

12. Motions for scheduling conferences and other settings.

c. **Title.** Each brief must clearly show whether it is opening, response, reply, or supplemental; the particular motion or proceeding to which it relates; and the party or parties on whose behalf it is presented.

d. **Length and Format of Briefs.** No brief longer than twenty-five (25) typewritten pages may be submitted without leave of the Court. Motions for leave to file a brief in excess of twenty-five (25) pages must state the requested number of pages and must be filed no later than one (1) day prior to the date the brief is due. The text, excluding footnotes, must be at least twelve (12) point font, and margins must be a minimum of one (1) inch on the top, bottom and sides. Briefs exceeding fifteen (15) pages in length shall be accompanied by an indexed table of contents showing headings or subheadings and an indexed table of statutes, rules, ordinances, cases, and other authorities cited. A motion and its accompanying brief may be presented as one document if stated in the title of the pleading.

e. **Motions Not in Compliance.** If the motion does not comply with the requirements listed above, the Court may deny the motion without a hearing. If the Court allows a responsive pleading, the moving party must serve the responsive pleading within fifteen (15) days after the Court’s action.

f. **Responses to Motions.** A response to a motion may not include a motion or a cross-motion made by the responding party. Each party opposing a motion shall file with the Court Clerk and serve upon all other parties a response within fifteen (15) days from the date the motion was filed. In its discretion, the Court may deem confessed any non-dispositive motion that is not opposed within fifteen (15) days.

g. **Reply and Supplemental Briefs.** Reply briefs regarding new matter in the
response brief must be filed within fifteen (15) days after the due date of the
response. After the filing of the reply or the expiration of the fifteen days, the
motion may be deemed ripe for ruling. Supplemental briefs may be filed only
upon motion and leave of the Court. Reply and supplemental briefs must be
no longer than ten (10) pages in length unless otherwise authorized by the
Court.

h. **Unopposed Dispositive Motions.** If a dispositive motion is not opposed, the
Court may in its discretion provide an additional fifteen (15) days, after
which the motion will be deemed confessed or the case will be dismissed. In
its discretion, the Court may subject the party failing to respond to sanctions,
including all attorney fees and costs incurred by the moving party in
connection with the failure to timely oppose the motion.

i. **Requests for Extensions of Time.** Each motion for extension of time must
state:

1. the date the act is due to occur without the requested extension;

2. whether previous motions for extensions have been made and the
disposition of those motions;

3. specific reasons for the requested extension, including an explanation
why the act was not done within the originally allotted time;

4. whether the opposing counsel or party agrees to the requested extension,
objects, or cannot be contacted; and

5. the impact on the scheduled trial or other deadlines.

The motion must be accompanied by a proposed order that states the events
being extended and the proposed new dates for the deadlines.

j. **Motions Not to Be Filed Within 14 Days of Trial.** Motions filed within
fourteen (14) days of the date a case is set for trial will be stricken unless the
motion is based upon a sudden emergency regarding facts that could not have
been previously known. If a motion is filed within fourteen days of trial, a
response may be filed within seven (7) days thereafter, or, if the trial date is
sooner than seven days, any time prior to trial.

**RULE 2.3- DISCOVERY**

a. The parties shall not tender to the Clerk for filing the following discovery
instruments:

1. Written interrogatories or responses thereto.

2. Demands for production of documents or other things.

3. Requests for permission to enter upon land of a party.
4. Requests for admissions or responses thereto.

5. Requests for physical or mental examinations of a party or person in custody or under legal control of a party.

b. Motions for an order compelling discovery must contain a statement by counsel for the moving party that after personal consultation with opposing counsel and/or reasonable efforts made to contact counsel for a period of no less than one (1) week without significant response from counsel, counsel for the moving party has been unable to obtain discovery of the matter in question by agreement with opposing counsel.

**RULE 2.4- JOURNAL ENTRY**

a. In all contested matters, the Journal Entry presented for signature of the Court must contain the attorneys' or pro se parties' signature of approval as to form for all interested parties to the proceedings.

b. The Journal Entry must be submitted to the assigned judge and filed within thirty (30) days of the Court's ruling, unless waived by the assigned judge.

c. If counsel do not agree as to the form of the Journal Entry, a Motion to Settle Journal Entry must be filed and a proposed Journal Entry attached to said motion. Said motion should be set for hearing on the Court's docket by the attorney filing the motion to settle.

**RULE 2.5- DISMISSAL OF INACTIVE CASES**

a. If no action has been taken in a case for one (1) year, the Court shall evaluate and either set the matter for hearing or require a show cause response as to why the case should remain open. The Court shall give notice to the parties and/or their counsel of record before any such dismissal. If an action be commenced, but no summons issued within six (6) months, or if issued and not served within six (6) months, the Court may dismiss such action on its own motion and without notice.

b. All inactive civil, divorce, adoption and criminal cases will be, by the Court Clerk, placed on a disposition docket annually. The Court may, for good cause shown, allow the action to remain open by issuing an order setting forth the specific action required by the party requesting the case to remain open and the date by which the action is taken. The Chief Judge may set the disposition docket or assign that responsibility.

**RULE 2.6- TRANSCRIPTS**

a. The Court does not provide the services of a Court Reporter, except in the following cases:

1. Jury trials pertaining to criminal matters; and
2. termination of parental rights.

b. If a court reporter is needed, please contact the Court Administrator and they can contact a Court Reporter to be present during the requested hearing. There will be a fee that is required to be paid on or before the hearing date.

c. Parties seeking a Court Reporter for any other case are entitled to provide a Court Reporter at their own expense. Other matters may be recorded by counsel and transcribed at a later date. Notice of the recording shall be given to the assigned Judge prior to the beginning of the matter.

d. The Court does provide a recording device for its own purposes and use; however, the parties may not rely upon the Court's own recording device for their use. If the Court has a recording, the Court will make the recording available upon request for parties to transcribe at their own expense with a court reporter that they procure.
CHAPTER III - DOMESTIC RELATIONS

RULE 3.1- ASSIGNMENT TO A PARTICULAR JUDGE

a. All divorce and paternity cases will be assigned to a particular judge by the Court Administrator in the manner prescribed by the Chief Judge.

b. If the judge assigned recuses himself/herself, then the recusing judge must immediately notify the Chief Judge so that the matter can be assigned to a different judge; provided that, in the event the Chief Judge recuses, the Court Administrator will assign another Judge to that matter.

RULE 3.2- TEMPORARY ORDERS

Generally, all divorce and paternity proceedings involving minor children shall be set for a temporary order hearing. The Court will conduct an abbreviated hearing and receive evidence to allow the issuance of a temporary order to govern until the final divorce or paternity hearing. It is the duty of counsel to advise the parties of the nature of the hearing and to not attempt to address the merits of the final hearing.

RULE 3.3- PRE-TRIAL DISCLOSURE

a. Unless waived by the Court, each attorney shall file and serve on opposing counsel a Pre-Trial Disclosure at least ten (10) days in advance of the scheduled trial on the merits. The disclosure must contain the following information:

• Each asset of significant value, together with the following:
  1. Fair market value.
  2. Encumbrances, if any.
  3. Status of acquisition (jointly or separately acquired);

• Outstanding liabilities, together with the following as to each:
  1. Balance owed.
  2. Number of periodic payments.

• Source and amount of all income.

• A list of witnesses expected to be called at trial, along with a synopsis of the testimony of each, contact information of each, unless previously furnished at the Pre-Trial Conference.

b. Failure to timely comply with the Pre-Trial Disclosure requirement will be
considered as cause for continuance of the trial, with the taxing of expenses as costs, exclusion of witnesses or testimony, or in setting of attorney fees as is appropriate.

RULE 3.4- MEDIATION

The Court does not require the parties to a domestic case to attend mediation, but mediation can be ordered by the Judge as needed.

RULE 3.5- STANDARD VISITATION SCHEDULE

A copy of the Court's standard visitation schedule is available in the Court Clerk's office. The parties may vary the standard schedule if it is agreed to by all parties, and if the judge presiding finds it would be in the best interest of any child who would be affected by the agreement. Said visitation schedule is set out and attached with this docket as Appendix 1.

RULE 3.6- JUDICIAL ORDER OF PROPER PARENTAL CONDUCT

A copy of this Court's Judicial Order of Proper Parental Conduct is available in the Court Clerk's office. Said Order is to be included in each Decree/Order concerning minor children. Said Order is set out and attached with this docket as Appendix 2.

RULE 3.7 - DECREES

a. Decrees should be presented for approval of the Court within fourteen (14) days of the granting of the divorce if the case was uncontested.

b. If the case was contested, the decree should be submitted to the trial judge and filed within thirty (30) days of the judge's ruling.

RULE 3.8- MOTIONS TO MODIFY

Any motion to modify a decree in a divorce or paternity case should be specially set by the party seeking the modification. If there is opposing counsel, the party seeking modification shall coordinate with that attorney’s schedule setting a motion to modify a decree in a divorce or paternity case. The Court requires motions to modify be served upon the opposing side, unless opposing counsel waives service, just as in the manner set forth by serving a new action (without the requirements of a summons).
CHAPTER IV - COURT APPOINTED ATTORNEY

RULE 4.1- COURT APPOINTED LIST

a. The Quapaw Nation Court has attorney(s) retained to provide public defender/GAL duties. If a conflict arises such that none of the retained attorneys are available to handle the matter, the Court may appoint a licensed attorney to fulfill that function.

b. Attorneys licensed before this Court wishing to serve as a court appointed attorney shall notify the Court Clerk's office to place their name on the conflict court appointed roster.

RULE 4.2- CONFLICT ATTORNEYS APPOINTED

The hourly billable rate for a conflict court appointed attorney is $150.00 per hour. The fee for conflict court appointed attorneys is capped at $2,500.00 per case. Attorneys shall submit their billing statements within thirty (30) days of services rendered. Failure to do so may result in denial of the claim. Billable claims are limited to attorney time only and do not include paralegal time, mileage, office expenses including postage, copying, etc. In special circumstances requiring the attorney to exceed $2,500.00 in total billable time, the attorney may request approval from the Chief Judge to exceed the cap, which may be granted as justice so requires. This will only be utilized if ALL contracted attorneys have a conflict.
CHAPTER V - CRIMINAL MATTERS

RULE 5.1- INCARCERATION WITHOUT FORMAL CHARGES

No Defendant accused of any public offense may be jailed longer than the code allows without being formally charged and/or arraigned.

RULE 5.2- INITIAL ARRAIGNMENT

Due process requires that an accused person be brought before a judge without unnecessary delay. If the court is not in session, then the Defendant will be arraigned virtually by the assigned judge. At arraignment whether in person or virtually, the Defendant will be advised of the charges brought against him or her and bond will be set. It is the duty of the Tribal prosecutor to notify the judge if a person is being held in custody if the Court is not in session.

RULE 5.3- INITIAL APPEARANCES

The Court holds an initial appearance docket each Tuesday morning at 9:00 a.m. Persons arrested and released are directed to appear at the following scheduled court docket in the District Court for arraignment. Likewise, persons who are arrested and post bail are ordered to appear at the following scheduled court docket for arraignment.

RULE 5.4 - BOND MATTERS

All attorneys should be prepared to discuss bond at every hearing.

a. Motions for bond reduction must be filed with the Court Clerk’s office five (5) days before hearing. Motions for bond revocation must also be filed with the Court Clerk’s Office five (5) days before hearing.

b. Written responses, if any desired, shall be filed with the Court Clerk’s office one (1) business day before hearing.

c. Exhibits for bond matters, if any, shall be provided to the Court 24 hours before the hearing.

d. If information justifying a change in bond circumstances arises within five (5) days of hearing, counsel shall notify the court of the circumstance and the request in writing as soon as possible.

e. After the Motion has been filed with the Court Clerk’s office, the Motion and Order shall be sent to the presiding Judge to be set for hearing. Once the Judge has signed the Order it is to be filed with the Court Clerk’s office and set on the Hearing date approved by the Judge.

RULE 5.5 - TRAFFIC VIOLATIONS

a. **Payment Options.** Payments for traffic fees and costs may be processed by the Quapaw Nation Court Clerk’s Office in the following ways:
1. Cash, if paid in person;

2. Money Order or Cashier’s Check;

3. A nationally recognized credit or debit card issued to the person paying. The Nation may add an amount equal to four percent (4%) of the amount of such payment as a convenience fee for credit or debit card transactions. The Nation shall determine which nationally recognized credit or debit cards will be accepted by the Court Clerk’s Office; provided, the Nation must ensure that no loss of tribal revenue will occur by the use of such credit or debit card.

   b. Payment Extensions. A one-time, thirty (30) day extension may be awarded to any individual by the Court Clerk’s Office, as long as the request for extension is made before the date written on the traffic ticket.

   c. Payment Plans. The party may choose to enter into an agreed upon payment plan with the Quapaw Nation Court Clerk’s Office in which the party must pay a particular portion of the total traffic fees and costs every month on a set schedule. This payment plan shall be in writing and will require a photo ID.

   d. Arraignment Appearances.

      1. A party wishing to enter a plea of guilty or no contest must appear in Court on or before the court date written on the physical traffic ticket received.

      2. A continuance of the first court date may be requested at the Court Clerk’s Office or by telephone.

      3. The Quapaw Nation Court’s traffic arraignment docket, held on the second (2nd) and fourth (4th) Thursday of every month. Appearances must be scheduled in advance of the court date written on the ticket, either in person or by telephone.

   e. Failure to Provide Insurance. To dismiss a citation for failure to provide insurance, a party may appear no later than the business day before the court date written on the ticket and show proof of valid insurance at the time the citation was issued.

**RULE 5.6 - CASH BOND**

Cash Bonds can be posted with the Quapaw Court Clerk office during business hours or can be posted with Cherokee County Kansas Sheriff or Kay County After Hours.

a. Forfeiture of Bonds: Once a bond has been forfeited in the case, it will be coded as “4000 Program Revenue, “4077” Court Clerk Fund, and “4076” law library. You must attach the court minute, court order, or forfeiture of cash bond stating that Bond was forfeited when releasing the funds into the case.
o Forfeiture %
  - 10% - LL
  - 10% -CF
  - 80% - PR

a. **Returning of Cash Bond:** If a Cash Bond is being returned to the Defendant or the individual who posted the cash bond in the defendant’s case, they must provide a valid form of ID and also sign a release of cash bond form. The individual that posted the cash bond is the only person to whom the cash bond may be returned. A check must be processed through the accounting department and a copy of the Court minute may be included as an attachment in Workflow. The remainder of any Cash Bond will be processed and made available for pick-up by payor of the bond within ten (10) days after the bond has been exonerated (by dismissal, plea, conviction, or other final disposition).

b. **Failure to pick-up cash bond:** After the ten (10) days have passed, the payor will have sixty (60) days to redeem and retrieve the cash bond or the cash bond will be forfeited to the Quapaw Nation Court Clerk’s office.

c. **Exoneration of Bonds:** A bond will be exonerated when the matter has been completed, the defendant has entered a plea, or the case has been dismissed by the Court.
CHAPTER VI – POST-TRIAL

RULE 6.1- PARTIES OR THEIR COUNSEL

Parties or their counsel may communicate with jurors after a verdict has been returned so long as the entire jury has been finally discharged from service. Parties and/or counsel shall cease attempts to communicate with a juror if that particular juror has expressed a desire not to communicate about the case.
CHAPTER VII – SANCTIONS

RULE 7.1- PENALTIES

Any violation of a court rule may subject the party and/or attorney involved to a sanction, contempt proceedings, censure or other appropriate remedial actions. Sanctions may include, but will not be limited to, any of the following:

1. Dismissal of the action;
2. Imposition of court costs;
3. Taxing attorney fees incurred by opposing party;
4. Assessing other expenses or costs, including mileage expenses, of any party financially harmed by such acts;
5. A fine representing the jury fees and/or other direct costs to the Court for any aborted or delayed trial; and/or
6. Mistrial.

RULE 7.2- WAIVER

On a finding by the Court that any rule herein will work an injustice, the same may be waived for that particular instance by the assigned Judge
CHAPTER VIII – VIDEOCONFERENCING

RULE 8.1- GENERAL PROVISIONS

The Quapaw Nation Court hereby authorizes and approves the use of videoconferencing in the Quapaw Nation Court, as set forth in the following general provisions:

a. A proceeding conducted by videoconferencing shall be conducted in the same manner as if the parties had appeared in person, and the judge presiding over the matter may exercise all powers consistent with the proceeding.

b. In any proceeding conducted by videoconference, the remote location(s) shall be considered an extension of the courtroom and held before the judge who is presiding. The judge’s pronouncements, instructions, and rulings shall have the same force and binding effect as if all participants had been physically present in the courtroom. The presiding judge shall consider and rule on any objections of a party or non-party witness prior to beginning the proceeding.

c. An oath administered by the judge, court reporter, or other authorized person to a witness, interpreter, or a party in a proceeding conducted by videoconference shall have the same force and binding effect as if the oath had been administered to a person physically present in the courtroom.

d. In any proceeding conducted by videoconference, a court reporter, who can see and hear the witness and other participants, may administer oaths, record notes, and transcribe the proceeding without being physically present in the same locale as either the judge or the remote participants.

e. In any proceeding conducted by videoconference, an interpreter, who can see and hear the witness and other participants, may provide interpreter services without being physically present in the same locale as either the judge or the remote participants.

f. Any system used for conducting a proceeding by videoconferencing shall conform to the following minimum requirements:

1. Participants shall be able to see, hear, and communicate with each other simultaneously;

2. Participants shall be able to see, hear, and otherwise observe any physical evidence or exhibit presented;

3. Video and sound quality shall be adequate to allow participants to observe demeanor and nonverbal communications and to clearly hear what is taking place to the same extent as if they were present in the courtroom;

4. The location from which the trial judge is presiding shall be accessible to the public to the same extent as the proceeding would be if not conducted by videoconference; and
5. When feasible, a party and the party's attorney should be allowed to communicate privately off the record by use of a private communication facility (cellphone, landline, facsimile, Skype, etc.) during the proceeding, or during a break. The Quapaw Nation Court is not required to provide a private communication facility if none is available.

g. Any pleading, other document, or exhibit used in a proceeding conducted by videoconferencing may be transmitted between the Quapaw Nation Court’s location and any remote site by electronic means, including, but not limited to, facsimile, scan, or email. Signatures on any document transmitted by electronic means shall have the same force and effect as an original signature.

h. Unless otherwise ordered by the judge, all proposed exhibits must be marked by number and shall be submitted to opposing counsel and the Quapaw Nation Court at least three (3) days prior to any proceeding conducted by videoconference.

i. Any stipulation/waiver of any right to be present in the courtroom shall be obtained at the commencement of the proceeding, either on the record or in writing. A written stipulation/waiver shall be filed in the case and made a part of the record.

j. This Rule authorizes the use of videoconferencing in all stages of civil or criminal proceedings.

k. In all other respects, a proceeding conducted using videoconferencing technology shall be conducted in the same manner as any proceeding conducted in person at one site.

**RULE 8.2 - COURT’S DISCRETION**

This Rule is intended to provide a judge presiding over any matter in Quapaw Nation Court with broad discretion regarding the use of videoconferencing. The judge may consider one or more of the following criteria in determining whether to permit the use of videoconferencing technology in a particular case:

a. Whether any undue surprise or prejudice would result;

b. Whether the proponent of the use of videoconferencing technology has been unable, after diligent effort, to procure the physical presence of a witness;

c. The convenience of the parties and the proposed witness, and the cost of producing the witness in person in relation to the importance of the offered testimony;

d. Whether the procedure would allow for full and effective cross-examination, especially where such cross-examination would involve documents or other exhibits;
e. The importance of the witness being personally present in the courtroom where the dignity, solemnity, and decorum of the surroundings will impress upon the witness the duty to testify truthfully;

f. Whether a physical liberty or other fundamental interest is at stake in the proceeding;

g. Whether the Quapaw Nation Court is satisfied that it can sufficiently know and control the proceedings at the remote location so as to effectively extend the courtroom to such location.

h. Whether the participation of an individual from a remote location presents such person in a diminished or distorted sense such that it negatively reflects upon such individual to persons present in the courtroom;

i. Whether the use of videoconferencing diminishes or detracts from the dignity, solemnity, and formality of the proceeding such as to undermine integrity, fairness, and effectiveness;

j. Whether the person proposed to appear by videoconferencing presents a significant security risk to transport and present personally in the courtroom;

k. Waivers and stipulations of the parties offered and agreed upon and approved by the court, including waiver of any requirement set forth in this Rule, or stipulation to any different or modified procedure; and

l. Such other factors as the Quapaw Nation Court may, in each individual case, determine to be relevant.

RULE 8.3 - USE IN CIVIL CASES, JUVENILE CASES, AND SPECIAL PROCEEDINGS

a. Subject to the provisions set forth in Rules 9.1 and 9.3, and to the limitations of subsection b of this Rule, the Quapaw Nation Court may, on its own motion or at the request of any party, in any civil case, juvenile case, or special proceeding permit the use of videoconferencing technology in any pre-trial, trial, or post-trial proceeding, including administrative appeals.

b. A proponent of a witness via videoconferencing technology at any hearing or trial shall file and serve on the opposing party a notice of intent to present testimony by videoconferencing technology at least thirty (30) days prior to the scheduled start of such proceeding. Any party may file an objection within ten (10) days of service of the notice of intent. The Quapaw Nation Court may in its discretion shorten the time to file notice of intent and objection. If an objection is filed, the Quapaw Nation Court shall determine the objection in the exercise of its discretion considering the criteria set forth in Rules 9.1 and 9.3 with a detailed finding on the record. In a civil matter, the proponent shall be responsible for all costs associated with the presentation of testimony, unless otherwise stipulated or ordered by the judge.
RULE 8.4 - USE IN CRIMINAL CASES AND PROCEEDINGS

a. Subject to the provisions set forth in Rules 9.1 and 9.3, and to the limitations in subsections b and c of this Rule, the Quapaw Nation Court may, on its own motion or at the request of any party, in any criminal case permit the use of videoconferencing technology in bond appearances and any pre-trial, trial or fact-finding, or post-trial proceeding.

b. Except as may otherwise be provided by law, a defendant in a criminal case retains the right to be physically present in the courtroom at all critical stages of the proceeding. This Rule is not intended to limit existing rights or create new rights for a defendant.

c. A proponent of a witness via videoconferencing technology at any hearing shall file and serve on the opposing party a notice of intent to present testimony by videoconference technology at least thirty (30) days prior to the scheduled start of such proceeding. Any party may file an objection within ten (10) days of service of the notice of intent. The Quapaw Nation Court may in its discretion shorten the time to file a notice of intent or objection. If an objection is filed, the Quapaw Nation Court shall resolve the objection in the exercise of its discretion considering the criteria set forth in Rules 9.1 and 9.3 with a detailed finding on the record. The judge shall determine and assess all costs associated with the proceeding.
CHAPTER IX – RECUSAL OF THE JUDGE

RULE 9.1- DISCRETIONARY RECUSAL

A judge may recuse themself from a proceeding whenever the judge deems it appropriate.

RULE 9.2- MANDATORY RECUSAL

A judge shall recuse themself in any proceeding in which the judge’s impartiality might reasonably be questioned, including but not limited to the following circumstances:

a. The judge has a personal bias or prejudice concerning a party or a party's lawyer, or personal knowledge of facts that are in dispute in the proceeding.

b. The judge knows that the judge, the judge's spouse, a member of the judge's household, or a person within the third degree of relationship to any of them, or the spouse of such a person is:
   1. a party to the proceeding, or an officer, director, general partner, managing member, or trustee of a party;
   2. acting as a lawyer in the proceeding;
   3. a person who has more than a de minimis interest that could be substantially affected by the proceeding; or
   4. likely to be a material witness in the proceeding.

c. The judge knows that he or she, individually or as a fiduciary, or the judge's spouse, parent, or child, or any member of the judge's household, has an economic interest in the subject matter in controversy or is a party to the proceeding.

d. The judge has made a public statement, other than in a court proceeding, judicial decision, or opinion, that commits or appears to commit the judge to reach a particular result or rule in a particular way in the proceeding or controversy.

e. The judge served as a lawyer in the matter in controversy, or was associated with a lawyer who participated substantially as a lawyer in the matter during such association;

f. The judge served in governmental employment, and in such capacity participated personally and substantially as a lawyer or public official concerning the proceeding or has publicly expressed in such capacity an opinion concerning the merits of the particular matter in controversy.

g. The judge was a material witness concerning the matter;

A judge subject to recusal under this Rule, other than for bias or prejudice under Rule
9.2(a), may disclose on the record the basis of the judge's recusal and may ask the parties and their lawyers to consider, outside the presence of the judge and court personnel, whether to waive recusal. If, following the disclosure, the parties and lawyers agree, without participation by the judge or court personnel, that the judge should not be recused, the judge may participate in the proceeding. The agreement shall be incorporated into the record of the proceeding.

**RULE 9.3 - REQUEST FOR RECUSAL**

Any party may request that the judge, at any time following the judge’s designation and before the filing of a decision, be recused under Rule 9.1 or 9.2 of this Chapter or both by filing with the judge, promptly upon the discovery of the alleged facts, an affidavit setting forth in detail the matters alleged to constitute grounds for recusal.

**RULE 9.4 - GENERAL PROVISIONS**

a. Under this Chapter, a judge must recuse whenever the judge’s impartiality might reasonably be questioned, regardless of whether any of the specific provisions of Rule 9.2 apply.

b. A judge’s obligation not to hear or decide matters in which recusal is required applies regardless of whether a request for recusal is filed.

c. Necessity may override the rule of recusal. For example, a judge might be the only judge available in a matter requiring immediate judicial action, such as a hearing on probable cause or a temporary restraining order. In matters that require immediate action, the judge must disclose on the record the basis for possible recusal and make reasonable efforts to transfer the matter to another judge as soon as practicable.

d. A judge should disclose on the record information that the judge believes the parties or their lawyers might reasonably consider relevant to a possible request for recusal, even if the judge believes there is no basis for recusal.
EXAMPLE STANDARD VISITATION SCHEDULE

1. Standard Visitation with extended weekends, limited midweek, and equal time in the Summer:

ORDER ENTERING STANDARD VISITATION SCHEDULE

The non-custodial parent shall have visitation with the minor child(ren) of the parties as follows:

REGULAR VISITATION:

a) The non-custodial parents shall have visitation every other weekend from Friday after school or day care until Monday morning when the non-custodial parents returns the child(ren) to school or day care.

b) If a child is not attending school or day care, the non-custodial parent shall pick up the child from the custodial parent’s home at 6 o’clock p.m. on Friday and shall return the child to the custodial parent’s home at 7:30 o’clock a.m. on Monday.

c) All visitation weekends that include a Federal, State or school holiday adjacent to the weekend shall be part of the regular weekend. For Friday holidays, the weekend shall begin after school or day care on Thursday evening. For Monday holidays, the weekend shall end with the child(ren) being returned to school or day care on Tuesday morning.

d) Further, the non-custodial parent shall also enjoy a midweek visitation every Wednesday from after school or day care and return the child(ren) to the custodial parent’s home by 8:00 p.m.

e) The Regular Visitation provided in this section shall occur during the school year and shall not occur from June 1st until the 1st day of school.

HOLIDAY VISITATION:

<table>
<thead>
<tr>
<th>HOLIDAY</th>
<th>EVEN-YEARS</th>
<th>ODD-YEARS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Spring Break</td>
<td>Non-custodial parent</td>
<td>Custodial parent</td>
</tr>
<tr>
<td>Fall Break</td>
<td>Custodial parent</td>
<td>Non-custodial parent</td>
</tr>
<tr>
<td>Thanksgiving Break</td>
<td>Non-custodial parent</td>
<td>Custodial parent</td>
</tr>
<tr>
<td>Christmas Break:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(From after school or day care on the last day of school before the break until 6 p.m. on December 27th)</td>
<td>Custodial parent</td>
<td>Non-custodial parent</td>
</tr>
</tbody>
</table>

Rule 3.5 Standard Visitation Schedule

Appendix 1
Second Half of Christmas Break:
From 6 p.m. on December 27th until return to school
or day care on the day school resumes.

<table>
<thead>
<tr>
<th>Non-custodial parent</th>
<th>Custodial parent</th>
</tr>
</thead>
</table>

Mother’s Day weekends shall be spent with the mother.

Father’s Day weekends shall be spent with the father.

The weekend shall begin at 6 p.m. Friday before Mother’s Day or Father’s Day and conclude on the following Monday morning at the return time for regular weekend visitation. Father’s Day weekend is not available for Mother’s summer visitation.

THE HOLIDAY SCHEDULE SUPERSEDES ALL REGULARLY SCHEDULED VISITATION.

The Holiday Schedule shall be governed by the school the child attends or would attend if not of school age. If a child not yet attending school has an older sibling who attends school, holiday visitation with the child not attending school shall be governed by the schedule for the school which the older sibling attends and shall begin from the afternoon when school is out until it resumes.

SUMMER VISITATION:

a) The non-custodial parent shall have summer visitation for two weeks in June and must notify the custodial parent of the dates in writing by March 30.

b) The non-custodial parent shall have summer visitation for two weeks in July and must notify the custodial parent of the dates in writing by March 30. The July 4th holiday (from 6 p.m. on July 3rd to 6 p.m. on July 5th) shall alternate between the parties on a yearly basis. The non-custodial parent shall not select dates in July which include the July 4th holiday in consecutive years.

c) Two weeks shall mean one period of 14 consecutive days or two periods of 7 consecutive days, with the visitation beginning and ending at 6 p.m.

d) The non-custodial parent shall have summer visitation from 6 p.m. on August 1st until 6 p.m. on August 8th. If the child(ren)’s school year does not begin until after September 1st, an additional week of visitation in August will be available with dates to be agreed upon by the parents by June 1.

e) The non-custodial parent shall not schedule periods of summer visitation consecutively to create a period of 3 consecutive weeks (such as the last 2 weeks of

Rule 3.5 Standard Visitation Schedule
Appendix 1
July and the first week of August) or a period of 4 consecutive weeks (such as the last 2 weeks of June and the first 2 weeks of July).

f) If the non-custodial parent fails to give proper notice of when she/he will exercise summer visitation in June and/or July, then the non-custodial parent shall have visitation from 6 p.m. on June 1st until 6 p.m. on June 15th and from 6 p.m. on July 1st until 6 p.m. on July 15th in even-numbered years and from 6 p.m. on July 6th until 6 p.m. on July 20th in odd-numbered years.

g) The Regular Visitation schedule shall resume on the weekend immediately following the first day of school and the non-custodial parent shall have visitation on that weekend. Weekends shall thereafter alternate between the parents until May 31st, with the Summer Schedule beginning on June 1st.

TRAVEL:

Unless otherwise agreed by the parties or expressly provided for herein, the Non-custodial parent shall pick up the child(ren) at the beginning of visitation and the custodial parent shall pick up the child(ren) at the non-custodial parent’s home at the end of the non-custodial parent’s visitation. The parties are encouraged to work together to meet to exchange the child(ren) at an agreeable place in the event that the parties do not live in the same town. Both parents are ORDERED to exchange current addresses, telephone and cell phone numbers and make every effort to notify the other, as soon as possible, in the event that he or she will be late picking up or exchanging the child(ren).

OTHER PROVISIONS:

a. Toys and clothes belonging to the child(ren) should travel freely between households and shall be returned with the child(ren) in a clean and orderly manner.

b. Parents are not only allowed but encouraged to deviate from this schedule. However, both parents must agree before any deviation to this schedule can be made.

c. Special consideration should be given to each parent to make the child(ren) available to attend family functions, including funerals, weddings, family reunions, religious holidays, important ceremonies and other significant events in the life of the child or in the life of either parent which may inadvertently conflict with this visitation schedule.

d. It is important to be aware that this visitation schedule is for the purpose of providing assured minimum amounts of visitation between non-custodial parent and child(ren). Visitation should exceed the number of occasions set out herein.
e. In addition, liberal telephone communications between the non-custodial parent and child(ren) are encouraged and should occur. Unless otherwise agreed upon by the parties, “liberal telephone communications” is defined as twice a week between Monday and Friday and once during the weekend. If a parent uses an answering machine, messages left on the machine for the child(ren) should be returned within 24 hours. Parents should agree on a specified time for calls to the child(ren) so that the child(ren) will be made available. Telephone communications are also encouraged and should occur between the child(ren) and the custodial parent during the non-custodial parent’s visitation.

f. If the parents live within thirty (30) minutes of each other, the parent who has physical custody of the children (the non-custodial parent during periods of visitation and the custodial parent during all other times) must allow the other parent the first right to have the child(ren). Parents should notify the other of their work schedules one month in advance, if possible, and discuss dates which the other may be willing and available to babysit.
EXAMPLE

JUDICIAL ORDER OF PROPER PARENTAL CONDUCT

Judicial Order for the proper conduct of separated or divorced parents. This Judicial Order is directed equally to both the Petitioner and Respondent herein. If there is bitterness between the parents, it should not be inflicted upon the children. In every child’s mind there should always be an image of TWO GOOD PARENTS. Your future with the children and with this Court will be enhanced if the parents will follow these directions:

THE PARENTS ARE DIRECTED AS FOLLOWS:

1. **Choosing One Parent over the Other:** The Divorce is not the children’s fault. It is not because of anything they did. For the Children, it is confusing, frustrating experience over which they have no control. Children should be made to feel like they need to choose sides when their parents are at odds.

2. **Blame for Divorce:** Children will tend to blame themselves for the divorce and you must constantly reassure them that they are not to blame; that it happens to all kinds of children, and they are not alone. Help them with their fears by assuring them they will be taken care of.

3. **Conflict After Divorce:** Research is now suggesting that it is not the divorce itself that hurts the children, but rather the conflict they have to live with afterwards that in maladjustments.

4. **Access to both parents:** It is important for children to have access to both parents for a balanced picture of male and female roles. They need your time and attention far more than presents. A child can love both parents more if he/she is not pressured to love one parent less. They will generally not feel very close to one parent who continually puts down the other and are quick to go got guidance from the parent who has a positive attitude toward life.

5. **Arguments and Fighting:** Your child’s sense of who he/she is comes from both parents. They will be burdened if they are told of their other parents’ shortcomings. Spare your children the painful experience of seeing his/her parents fighting. This only adds to the pain of divorce and the feeling that the conflict is over him/her.

6. **Mourning:** Do your morning with adult friends and family rather than using your children as your therapist.

7. **Children as Messengers:** Do not use your visitation to continue argument with the other parent. Never quarrel in the presence of the children. You should not use the children as messengers to communicate with the other parent.

8. **Questioning Children:** Keep your visitation as pleasant as possible for your children by NOT questioning them regarding activities of the other parent. Do not burden your children with the worries and trouble of adults. Do not discuss with them details of any pending litigation matters.

Rule 3.6 Judicial Order for Proper Parental Conduct

Appendix 2
9. Sexual Relations: Do not expose your children to inappropriate sexual relations with any person. This includes no overnight guest of an intimate nature while exercising parent time.

10. Drinking and Unreasonable Hours: Do not visit or transport the children if you have been drinking excessively and are intoxicated. Do not attempt to visit or telephone your children at unreasonable hours.

11. Keeping Scheduled Visitation: Always notify the other parent as soon as possible if you are unable to keep your scheduled visitation. It is unfair to your children to keep them waiting and even worse to disappoint them by not coming at all. It is in the best interest of the children that scheduled visitation be timely. A visiting parent waiting or no parent present at the time the children are being returned is an aggravation leading to confrontations in the presence of the children.

12. Frequent and Continuing Contract with Both Parents. When in the best interest of the children, it is Court policy to assure minor children if frequent and continuing contact with both parents and encourage parents to share the rights and responsibilities of child rearing. To this end, when awarding custody, the Court considers which parent is more likely to allow the children frequent and continuing contact with the non-custodial parent.

13. Schedules of School, Church or Extracurricular Activities: It shall be the duty of the custodial parent to inform the non-custodial parent and provide copies to the non-custodial parent of all written schedules and notice of any school, church or extracurricular activities or functions pertaining to your children; including but not limited to, teacher conferences, open house, awards banquet, sporting events, school plays, report cards, test results, school photographs and similar items. It shall be the duty of the custodial parent to inform and provide copies of such to the non-custodial parent as soon as same is made available to the custodial parent. It shall be the duty of the custodial parent to take the necessary action with the school authorities to list the non-custodial parent’s address and phone numbers and list the non-custodial parent as a person to be contacted in case of an emergency.

14. Child’s Medical Attention: The Custodial parent shall promptly inform the non-custodial parent of any illness of the children which shall require medical attention. The custodial parent is responsible to the provider for all medical and dental expenses of the children over and above what is covered by insurance. The custodial parent shall provide to the non-custodial parent documentation from the provider of the actual expenses, the amount paid by the insurance and the balance owing. The non-custodial parent shall reimburse the custodial parent his/her percentage share as determined under the child support guidelines with thirty (30) days of receipt of such documentation.

15. Medical and/or dental insurance: The parent who has the responsibility of providing major medical and/or dental insurance, or any type of insurance for the minor children, or who voluntarily provided insurance for the minor children, is required to keep the other parent informed of the proper name and address of the company, any change in the benefits, any and all pre-admittance notice required of the company, benefit cared with the dependent identification numbers, and any other information reasonably necessary to assure the children are covered and claims properly presented to the insurance provider.
16. Visitation and Child Support: The issues of visitation and child support are separate and distinct. Neither is dependent upon the other nor are both independently enforceable by contempt. Nonpayment of child support is not ground the Court is consider in contempt hearings for denial of visitation. Denial of visitation is not a ground the court is to consider in hearings for nonpayment of child support.

17. Raising Children in a Proper, Cooperative Way: Each parent must realize that the most important job is to carry out the responsibilities of raising children in a proper, cooperative way. Always work for the emotional well-being, health, happiness, and safety of your children. Use good judgement and your very best example to achieve these goals. Schedule regular dental and medical examinations. When driving, secure your children in seat belts or a safety chair. Never expose your children to excessive alcohol consumption or inappropriate or illegal drug use nor any dangerous, immoral or illegal situation or circumstances.

18. Contact with Court: All parties are advised that it is improper and unethical to discuss any pending matter with the Court.

19. Effect of Failure to Follow Court Directions: Failure to follow these directions may result in violation of the Orders of this Court and may be punished by contempt of Court with a fine, imprisonment, or both and/or modification of custody. Failure to follow these directions will be considered by the Court as a factor in determining the best interest of the children at any hearing before the court. There may also be additional expense of attorney fees and Court costs, all of which can be better used for the benefit of your children.

DATED this _____ day of ____________________, 202__.

Judge of the Quapaw Nation
RESOLUTION NO. 052023-I

A RESOLUTION TO APPROVE THE SUPPORT FOR THE OKLAHOMA SENIOR GAMES

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, on April 19, 2023 at the Intertribal Council Meeting it was voted on by all that each tribe would support the Oklahoma Senior Games with $1000, and

THEREFORE BE IT FINALLY RESOLVED, that this support for the Senior Games is approved by the Quapaw Nation Business Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 5 yes, 0 no, 2 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-J

A RESOLUTION AUTHORIZING THE PURCHASE OF FEE PROPERTY LOCATED WITHIN THE EXTERIOR BOUNDARY OF THE QUAPAW NATION AND AUTHORIZE THE CHAIRPERSON OR AN AUTHORIZED REPRESENTATIVE TO EXECUTE THE PURCHASE ON BEHALF OF THE QUAPAW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Tribal Business Committee supports the purchase of property from agreed to the price of for the outright purchase of the property described below. Said land is described as:

THEREFORE BE IT RESOLVED by the Business Committee of the Quapaw Nation that the Tribal Chairperson or an authorized representative of the Quapaw Nation is hereby authorized to negotiate and execute the purchase of the above-described land from located within the exterior boundaries of the Quapaw Nation, and to promote tribal self-determination and such other uses as may be determined.
CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-K

A RESOLUTION APPROVING THE IMPROVEMENT TO CIVIL INFRASTRUCTURE OF THE QUAPAW POWWOW GROUNDS

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the current pow wow ground's critical infrastructure requires improvement. Such improvements include but are not limited to; new pavement, signs, storm drainage and potable water upgrades. Having solicited qualified vendors, provided adequate public notice, and performed due diligence in accordance with current policy and ensuring sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for improvement to civil infrastructure to the Quapaw Powwow grounds is approved by the Quapaw Tribal Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 5 yes, 0 no, 2 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-L

A RESOLUTION APPROVING THE LEASE OF TWO (2) CAT 330 EXCAVATORS FOR REMEDIATION PROJECTS

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation’s business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Services Authority is in need to two (2) CAT 330 excavators for remediation projects. The decision to lease is to avoid reduced trade/residual value due to high use, extreme job conditions, and costly future repairs. Having conducted due diligence in accordance with current policy and ensuring sufficient unencumbered funds exits; and

THEREFORE BE IT RESOLVED, that the attached procurement packet to lease two (2) CAT 330 excavators for a period of thirty-six (36) months is approved by the Quapaw Tribal Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-M

A RESOLUTION AUTHORIZING THE LEASE AND USE OF TRUST/RESTRICTED LAND LOCATED UNDER THE JURISDICTION OF THE QUAPAW NATION FOR A BUSINESS SITE LEASE (ADVERTISING SIGN) AND TO AUTHORIZE THE CHAIRPERSON OR AN AUTHORIZED REPRESENTATIVE TO EXECUTE THE LEASE ON BEHALF OF THE QUAPAW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee supports the lease of the Nation's undivided restricted interest in the Downstream Casino and Resort in the amount of annually and acknowledges the Nation's proportionate share will be derived from this amount. Said land is described as:
NOW THEREFORE BE IT RESOLVED by the Business Committee of the Quapaw Nation that the Tribal Chairperson or an authorized representative of the Quapaw Nation is hereby authorized to execute said lease, and to promote tribal self-determination and such other uses may be determined including commercial operations acceptable to the lessor.

THEREFORE, BE IT FURTHER RESOLVED that the Quapaw Nation requests that the Secretary of the Interior or an authorized representative approve said lease on the allotment of

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-N

A RESOLUTION REQUESTING THE SECRETARY OF INTERIOR TO TAKE A PARCEL OF LAND CONSISTING OF APPROXIMATELY 27.82 ACRES, MORE OR LESS, INTO TRUST FOR THE BENEFIT OF THE QUAPA_OW NATION

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters; including acquiring real property to expand the Quapaw Nation's land base and applying to have title to land owned by the Tribe, placed into trust by the United States for the benefit of the Tribe; and

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee desires that title to the land described below (hereinafter referred to as the "Property") be conveyed to the United States of America in trust for the Quapaw Nation:

SEE EXHIBIT A

WHEREAS, the requested acquisition by the United States is fully consistent with the policy goals of the federal government in using trust acquisitions to address the needs of Indian country, as contained in the provisions of 25 CFR §151.3(a), which states "Subject to the provisions contained in the acts of Congress which authorize land acquisitions, land may be acquired for a tribe in trust status: (1) When the property is located within the exterior boundaries of the tribe's reservation or adjacent thereto, or within a tribal consolidation area; or (2) When the tribe already owns an interest in the land; or (3) When the Secretary determines that the acquisition of the land is necessary to facilitate tribal self-determination." The property is agriculture land within the exterior boundaries of the Tribe's original reservation and the Tribe intends on no change in land use.
THEREFORE BE IT RESOLVED that the Quapaw Nation Business Committee deems it appropriate and in the best interests of the Tribe to apply to have title to the Property, as defined herein, placed into trust by the United States of America for the benefit of the Tribe.

THEREFORE BE IT FURTHER RESOLVED, the Quapaw Nation Business Committee hereby requests that the Secretary of the Interior, by and through his/her authorized representative, take into trust title to the above-referenced property totaling 27.82 acres, more or less, for the benefit of the Quapaw Nation and

THEREFORE BE IT FINALLY RESOLVED, the Quapaw Nation Business Committee hereby authorizes the Chairman of the Business Committee, Vice Chair of the Business Committee, of the Business Committee to execute and submit a fee to trust application with respect to the property described herein referred to as the former property to the Bureau of Indian Affairs, and to execute, grant deeds, and conveying title to the subject property to the United States of America to be held in trust for the Quapaw Nation.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair  
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer  
Quapaw Nation Business Committee
RESOLUTION NO. 052023-O

A RESOLUTION OF THE QUAPAW NATION BUSINESS COMMITTEE AUTHORIZING THE PURCHASE OF HARDWARE AND SOFTWARE FOR THE ESTABLISHMENT OF A NEW 911 PUBLIC SAFETY DATACENTER FOR THE MARSHALS, WITH EXPENDITURE NOT TO EXCEED FUNDED BY ARPA

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Quapaw Nation Business Committee acknowledges the necessity of a dedicated data center to support the operations of our 911 public safety services, ensuring efficient service delivery and safeguarding sensitive information; and

WHEREAS, the Quapaw Nation Business Committee has considered the proposal to allocate a budget not exceeding for the procurement of hardware and software for the establishment of a new 911 public safety data center, with funds to be sourced from the American Rescue Plan Act; and

WHEREAS, the Quapaw Nation Business Committee believes this investment will improve the speed and efficiency of 911 operations, reduce response times in critical situations, enhance data security, and future-proof public safety services; and

THEREFORE BE IT RESOLVED The Quapaw Business Committee hereby authorizes the procurement of the necessary hardware and software for the creation of a new 911 public safety data center, with financial backing provided by ARPA. The total cost of this acquisition is determined not to exceed
CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 5 yes, 0 no, 2 vacant, 0 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-P

A RESOLUTION AUTHORIZING THE SECRETARY-TREASURER TO EXECUTE THE FINALIZED CYPRESS VALLEY AMENDED AGREEMENT

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation’s business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the Business Committee has determined that the terms and provisions of the Amended Agreement with Cypress Valley Meat Company Management Services, LLC are in the best interests of the Quapaw Nation, and

THEREFORE BE IT RESOLVED the Quapaw Nation Business Committee does hereby authorize Wena Kathryn Supernaw, Secretary-Treasurer to execute the finalized Cypress Valley Amended Agreement.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

Callie Bowden, Vice-Chair
Quapaw Nation Business Committee

Wena Kathryn Supernaw
Secretary-Treasurer
Quapaw Nation Business Committee
RESOLUTION NO. 052023-Q

A RESOLUTION APPROVING THE CONSTRUCTION OF COVERED PARKING AND WALKWAYS THE O-GAH-PAH LEARNING CENTER

WHEREAS, the Quapaw Nation is a federally recognized Indian tribe (the "Nation" or the "Tribe" or "Tribal") and is governed by the Resolution Authorizing the Quapaw Nation Business Committee to Speak and Act on Behalf of the Quapaw Nation of Indians, known as the "Governing Resolution" adopted by the Quapaw Indian Council on August 19, 1956, and approved by the Commissioner of Indian Affairs on September 20, 1957;

WHEREAS, the Quapaw Nation asserts its jurisdiction to the fullest extent recognized by law over the lands within the original Quapaw Reservation, as established as a homeland for the Quapaw Nation by the Treaty of May 13, 1833;

WHEREAS, the Governing Resolution delegates authority to the Quapaw Nation Business Committee to speak and act on behalf of the Quapaw Nation;

WHEREAS, the Quapaw Nation Business Committee is thus empowered and obligated to transact Tribal Business and otherwise speak or act on behalf of the Nation in all matters;

WHEREAS, the Quapaw Nation Business Committee is entrusted and obligated to transact the Nation's business, including, but not limited to, the Quapaw Nation economic development, the establishment of Quapaw Nation enterprises, enacting resolutions, laws, and policies for the best interest of the Quapaw Nation; and

WHEREAS, the O-Gah-Pah Learning Center parking lot and walkways are in need of improvement to keep children, parents, and staff out of the elements. Improvements include; coverage of the south and east exterior doors, bus drop off and safe room door all totaling 3,860 sq/ft of awning. Having solicited qualified vendors, provided adequate public notice, and performed due diligence in accordance with current policy and ensuring sufficient unencumbered funds exist; and

THEREFORE BE IT RESOLVED, that the attached purchase request for the construction of covered parking and walkways to the O-Gah-Pah Learning center is approved by the Quapaw Tribal Business Committee.

CERTIFICATION

The foregoing Resolution of the Quapaw Nation was presented and duly adopted through a regular meeting of the Quapaw Nation Business Committee on May 20, 2023, with a vote reflecting 4 yes, 0 no, 2 vacant, 1 abstaining, and 0 absent.

[Signatures]
Callie Bowden, Vice Chair
Quapaw Nation Business Committee

[Signature]
Wena Kathryn Supernaw, Secretary-Treasurer
Quapaw Nation Business Committee