

Oneida Tribal Law Office

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RECEIVED BY TRIBAL
SECRETARY

MEMORANDUM

SEP 27 1982

ONEIDA TRIBE OF
INDIANS OF WISCONSIN

TO: GARY METOXEN, TRIBAL CHAIRMAN ✓
NORBERT HILL, VICE-CHAIRMAN
ONEIDA BUSINESS COMMITTEE

FROM: JERRY HILL, TRIBAL ATTORNEY JH

DATE: September 27, 1982

RE: Tribal Court and Constitutional Revision

The following is a brief report in response to the memo sent by Loretta Webster dated September 23, 1982.

REVISION OF THE ONEIDA TRIBAL CONSTITUTION

This has been worked on for approximately one year. Until this summer, I met weekly with a sub-committee of the Business Committee, Norbert Hill and Howard Cannon, to formulate a plan of action. It was decided that the revision would proceed in the following phases: 1) review of the present Constitution, 2) discussion of analysis, 3) development of various options, 4) selection of options by the Business Committee, 5) presentation of proposed revision to the Oneida General Tribal Council for adoption, and 6) begin planning for secretarial election to implement desired draft.

The review analysis was presented to the Business Committee in January, 1982, and again by Memo to the Oneida Business Committee on March 2, 1982 along with implications of any revision on the Tribal Court Project. Again, I must emphasize that it is necessary for the Oneida Business Committee to provide some direction in which of the options presented represents their own philosophical and political views. To summarize, these are:

1. Leave Constitution as is.
2. Incorporate all present amendments.
3. Revise text of Constitution.
4. Include specific provision for SEPARATION OF POWERS.
5. Traditional form of Oneida government.

As I have reported to the Business Committee, the "Public Hearing" on the Constitutional Revision, August 21, 1982 was not well attended; 12 persons, and only one Business Committee member.

TRIBAL COURT

I have worked on this project for two years. During that time the project has been funded by the Campaign for Human Development and subsidized by the Tribe. The schedule proposed by the 1st and 2d year proposals to CHD have been adhered to. These are: 1) study our present system, 2) visit other tribal courts, court personnel, practicing Indian attorneys, and organizations, such as the National American Indian Court Judges Association, 3) present reports of analysis to the Business Committee, e.g. constitutional authority for court and amenability to B.I.A. funding upon adoption, 4) present draft of proposed codes to the Business Committee, 5) adopt systematic plan for the presentation to the Oneida General Tribal Council, and 6) final plan of implementation after adoption.

My last memo on this subject indicated that the Tribal Court is presently on schedule as proposed. However, I must advise the Business Committee at this time that failure of the Tribe to formally adopt or terminate this project will compound administrative problems as well as confuse Tribal members. For example, because adoption, even provisional adoption, has not occurred, publicity plans are now being affected. Furthermore, if the Tribe decides not to adopt, then the Campaign for Human Development must be so informed so that the grant award can be returned or possibly converted to some other related purpose, if possible or permissible.

I recommend that the Business Committee consider the resolutions which I presented in April for your consideration and action. If the Business Committee wishes it to be placed before the Oneida General Tribal Council for adoption at this evening's meeting, this would be an excellent opportunity to have a provisional adoption with a final and formal adoption by the Oneida General Tribal Council occurring on a date to be scheduled.



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

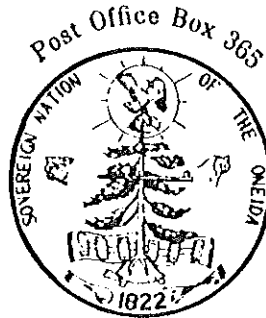
Oneida Tribe of Indians of Wisconsin



UGWA BEMOLUM TATENE

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

Phone: 869-2771



Oneida, WI 54155

MEMORANDUM

SEP 24 1982

ONEIDA LAW OFFICE

TO: ✓ Jerry Hill
Francis Skenandore
Ron Kelly

FROM: Loretta Webster *LW*
Tribal Administrator

DATE: September 23, 1982

SUBJECT: General Tribal Council Meeting on Monday, 9/27/82

The Business Committee is requiring that you submit a written report for their review by Monday, 1:30 p.m., as outlined below:

Proposed revision of Tribal Constitution	Jerry Hill
Tribal Court System update	Jerry Hill
Designated items in the Feb. 25, 1982 resolution	
Update on O.T.E. lawsuit	Business Committee
OJT Contract with J&M Machine	Francis Skenandore
Update on Snerud Case	Ron Kelly
Arts and Crafts Shop	Francis Skenandore
	Loretta Webster

Please be advised that you are also required to be at the General Tribal Council meeting on Monday, September 27, 1982, 7:00 p.m. at the Sacred Heart Center Auditorium.

LW:ab

cc: Business Committee