

## SQUAXIN ISLAND TRIBE

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RESOLUTION NO. 83- 20

OF THE

SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the authority of the Constitution and By-laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965;

WHEREAS, the Squaxin Island Tribal Council has been entrusted with the overall health education and welfare of it's Tribal members; and

WHEREAS, the Squaxin Island Tribal Council feels the need to assume the responsibility to promote the preservation of Indian families; and

WHEREAS, the Squaxin Island Tribal Council is concerned with the disposition of child welfare and domestic relations as it relates to State; Federal and Tribal custody proceeding; and


WHEREAS, the Squaxin Island General Council has instructed the Squaxin Island Tribal Council to consider and adopt a Squaxin Island Youth Code; and


WHEREAS, the Squaxin Island Tribal Council has the authority under the Title II of the Indian Child Welfare Act of 1978 (Public Law 95-608) to adopt such Youth Codes;

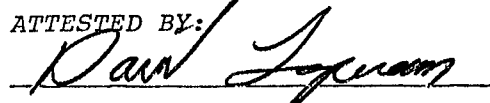
NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby approves and adopts the attached Squaxin Island Youth Code which defines the jurisdiction of youth and their families to adjudicate matters dealing with child welfare cases falling within this responsibility, and which may be amended by majority vote of the Tribal Council.

### CERTIFICATION

The Squaxin Island Tribal Council does hereby certify that the above Resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this 2<sup>nd</sup> day of June, 1983 at which time a quorum was present and passed by a vote of 4 for 0 against.

  
David W. Whitener, Chairman

  
Evelyn Allen, Vice-Chairperson

ATTESTED BY:  
  
David Lopeman, Secretary

SQUAXIN ISLAND

YOUTH CODE

Adopted: \_\_\_\_\_

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SECTION 1

PURPOSE

1.1 This Code shall be interpreted and understood to accomplish the following tribal objectives:

(a) To provide for the care, protection and wholesome moral, mental, and physical development of the young Indian people of the Squaxin Island Tribal Community;

(b) To insure that the young Indian people of the Squaxin Island Tribal Community receive assistance and guidance in their own homes, whenever possible, separating the youth from his/her parent only when necessary for his/her welfare;

(c) To protect and preserve the identity and pride of the young Indian people of the Squaxin Island Tribal Community as Native Americans;

(d) To provide a simple procedure for addressing and resolving conflicts involving Indian youth that is reflective of tribal traditions as well as the prevailing community standards, and which affords all affected persons a fair and impartial hearing, consistent with individual rights;

(e) To insure that off-reservation courts will be willing and able to return young people of the Tribe to the tribal community for care and guidance;

(f) To insure that the sovereignty of the Squaxin Island Indian Tribe is recognized in all matters effecting the welfare of the young people of the Squaxin Island Tribal Community.

1.2 This Code is exempted from the rule of strict construction. It shall be read and understood in a manner that gives full effect to the purposes for which it is enacted.

1.3 Whenever there is uncertainty or a question as to the interpretation of certain provisions of this Code, tribal law or custom shall be controlling and where appropriate, may be based on the written or oral testimony of a qualified elder, historian or other representative.

SECTION 2

DEFINITIONS

2.1 Abandon.

When a parent leaves a youth without adequate communication or fails to support a youth and there is no indication of the parent's willingness to assume his/her parental role for a period exceeding two (2) years.

2.2 Adult.

Any person subject to the jurisdiction of the Squaxin Island Tribe who is either eighteen (18) years of age or older, married or otherwise emancipated.

2.3 Court.

The Squaxin Island Tribal Youth Court when exercising jurisdiction under this Code.

2.4 Custodian.

A person, other than a parent or guardian, who has been given temporary physical care, custody and control of a youth, including the duty to provide food, clothing, shelter, medical care, education, and supervision to the youth.

2.5 Delinquent Act.

An act committed by a youth, which if committed by an adult, would be designated a crime or for which a penalty is provided under tribal law.

2.6 Detention.

The placement of a youth in a physically restrictive facility.

2.7 Domicile/Residence.

The determination of a domicile and residence shall be in accordance with tribal law and custom. In the absence of other factors clearly demonstrating an intent to establish a permanent home off the reservation, a youth's domicile/residence shall be deemed within the reservation.

2.8 Extended Family.

This term shall be defined by the law or custom of the Indian youth's tribe, or in the absence of such law or custom, shall be a person who has reached the age of eighteen (18) and who is the Indian child's grandparent, aunt or uncle, brother or sister, brother-in-law or sister-in-law, niece or nephew, first or second cousin, or step-parent.

2.9 Guardian.

A person other than the youth's parent who is by law responsible for that youth.

2.10 Guardian Ad Litem.

An adult appointed by the Court to represent the best interests of a youth in any proceeding to which he/she may be a party.

2.11 Indian Tribe.

Any Indian tribe, band, nation, or other organizational group, or community of Indians traditionally recognized as an Indian tribe by the Tribal Council or recognized as eligible for services provided to Indians by the Secretary of the Interior because of their status as Indians, including any Alaska Native village as defined in Section 3(c) of the Alaska Native Claims Settlement Act as amended.

2.12 Indian Youth

A youth who is under the age of eighteen years and who is either enrolled in an Indian tribe or both eligible for enrollment in an Indian tribe and a biological child of an enrolled Indian.

2.13 Parent.

Includes a biological or adoptive parent but does not include persons whose parental rights have been terminated, nor does it include the unwed father whose paternity has not been previously acknowledged or established.

2.14 Probable Cause/Reason to Believe.

Circumstances that are sufficient to convince a reasonable person that the facts alleged are true.

2.15 Qualified Elder, Historian or Other Tribal Representative.

An individual who, because of his/her knowledge and experience, has been certified by the Squaxin Island Tribal Council to testify as to the traditions and customs of the Squaxin Island Tribe before any federal, state, tribal court, or administrative body.

2.16 Reservation.

Means Indian country as defined in Section 1151 of Title 18 USC, and any lands not covered under such Section, title to which is either held by the United States in trust for the benefit of any Indian tribe or individual or held by any Indian tribe or individual subject to a restriction by the United States against alienation.

2.17 Youth (minor).

(a) A person under the age of eighteen (18) years.

(b) A person eighteen (18) years of age or older concerning whom proceedings are commenced in Youth Court prior to his/her eighteenth (18th) birthday.

(c) A person eighteen (18) years of age or older who is under the continuing jurisdiction of the Youth Court.

2.18 Youth-in-Need-of-Care.

A youth who:

(a) Has no parent, guardian or custodian available and/or able to care for his/her;

(b) Has suffered or is certainly likely to suffer physical injury inflicted upon him/her by other than accidental means, which causes or creates a risk of death, disfigurement or impairment of bodily functions;

(c) Has not been provided with adequate food, clothing, shelter, medical, or mental health care, education, or supervision by his/her parent, guardian, or custodian for his/her health or well-being and the deprivation is not due primarily to the lack of financial means of the parent, guardian or custodian;



- (d) Has been or is likely to be sexually abused;
- (e) Has been committing delinquent acts as a result of parental or custodial pressure, guidance or approval;
- (f) Has been emotionally abused or neglected;
- (g) Has been placed for care or adoption in violation of the Indian Child Welfare Act of 1978;
- (h) Has habitually run away from his/her home;
- (i) Has been habitually disobedient of the reasonable and lawful commands of his/her parent, guardian or custodian and is uncontrollable.

SECTION 3

JURISDICTION

3.1 Generally.

(a) The Court shall have exclusive original jurisdiction over any proceeding concerning a youth alleged to be in need of care, termination of parental rights, an adoption, a guardianship, or an emancipation which involves:

(1) Any Indian youth who resides or is domiciled on the Squaxin Island reservation;

(2) Any youth who is a member or is eligible for membership in the Squaxin Island Tribe regardless of the youth's residence or domicile; or

(3) Any Indian youth who has been placed in temporary care on the reservation or in any care facility licensed by the Tribe for placement of Indian youth.

(b) The Court shall have jurisdiction over adults in aid of its powers under this Code, and may make such orders as are necessary for the welfare of a youth.

(c) When state, federal or other tribal courts have jurisdiction over any of the matters provided for in this Code, the Court has concurrent jurisdiction over the same matters, to the extent consistent with federal law.

(d) The limitations on jurisdiction in this Section are not intended to reflect the Tribe's view as to the legally permissible limits of jurisdiction but are merely designed to limit tribal activity in this area in accordance with tribal priorities and resources.

### 3.2 Transfer of Proceedings.

(a) The Court may accept or decline any transfer of jurisdiction over a youth.

(b) The Court may transfer a proceeding over a non-Squaxin Island youth to another jurisdiction in accordance with the following procedures:

(1) Any person may request the Court to transfer a proceeding by filing a petition with the Court.

(2) The petition shall include:

(a) The name, age, address, and tribal affiliation, if known, of the youth who is the subject of the proceeding; and

(b) A plain and concise statement of the reasons the transfer should be granted.

(3) The Court shall hold a hearing on the transfer request within fourteen (14) days of the filing of the petition for transfer, unless a longer time is agreed upon.

(4) Written notice of the date, time and location of the transfer hearing shall be given to the youth, his parent, guardian, or custodian and to the Court or other judicial or administrative body to which transfer has been requested as soon as the time and place for the hearing has been established.

(5) The notice shall be delivered by a tribal law enforcement officer or an appointee of the Court. If the notice cannot be delivered personally, the notice shall be delivered by registered mail or any other method reasonably designed to give notice to the required persons.

(6) The wishes of the parent, as well as the youth if over the age of fourteen (14), shall be considered but shall not be controlling as to the decision to transfer.

(7) The controlling factor shall be the youth's best interest.

### 3.3 Jurisdictional Agreements.

The Tribe may enter into such intertribal and tribal-state agreements regarding jurisdiction over youth custody matters as it deems appropriate and necessary to protect the best interest of Squaxin Island youth.

## SECTION 4 INTERVENTION IN/TRANSFER FROM STATE COURT PURSUANT TO THE INDIAN CHILD WELFARE ACT

### 4.1 Investigation and Pre-Transfer Report.

The youth counselor shall conduct an investigation and file a written report with the Tribal Youth Board within three (3) days of receipt of notice from the tribal agent for service of notice.

### 4.2 Recommendations for Transfer or Intervention.

The Tribal Youth Board shall make written recommendations to the Tribal Council designate on whether or not the Tribe shall petition for transfer from or to intervene in State Court.

### 4.3 Petition for Intervention or Transfer.

Upon receipt of the Tribal Youth Board's recommendations, the Tribal Council designate shall determine whether to follow or overturn the Board's recommendations. Should the course of action chosen involve intervention or transfer, the Tribal Council designate shall request a petition be filed in State Court reflecting the Tribe's wishes within forty-eight (48) hours.

### 4.4 Tribal Youth Court Proceedings.

Upon receipt of transfer jurisdiction from State Court, the presenting officer shall file a youth in need of care petition and tribal youth court proceeding shall be held in accordance with this Code.

SECTION 5

THE COURT

5.1 Establishment.

There is hereby established for the Squaxin Island Tribe a division of the Squaxin Island Tribal Court to be known as the Squaxin Island Youth Court.

5.2 Judges.

The Squaxin Island Youth Court shall consist of one or more judges as appointed by the Tribal Council.

5.3 Qualifications.

The Youth Court judge's qualifications shall be the same as the qualifications for judges who sit on the Squaxin Island Tribal Court.

5.4 Powers and Duties of Youth Court Judge.

In carrying out duties and powers enumerated under this Code, judges of the Court shall have the same powers and duties as judges of the Squaxin Island Tribal Court.

5.5 Authority of Court.

(a) The Court is authorized to cooperate fully with any federal, state, tribal, public, or private agency to participate in any diversion, rehabilitation or training programs and to receive grants-in-aid to carry out the purposes of this Code.

(b) The Court may utilize such social services as may be furnished by any tribal, federal, state, or private agency.

5.6 Computation of Time.

The computation of any period of time required by this Code shall not include weekends or holidays.

SECTION 6

TRIBAL YOUTH BOARD

6.1 Appointment.

The Tribal Council shall appoint at least three (3) members to the Tribal Youth Board to carry out the duties and responsibilities set forth in this Code.

6.2 Qualifications.

Tribal Youth Board members shall be Squaxin Island tribal members committed to the welfare of Indian youth. These individuals shall have an understanding of the Youth Code as well as knowledge of tribal society, customs, families, and child rearing practices.

6.3 Duties.

(a) Request intervention in Indian Child Welfare cases in State Court pursuant to Section 4.

(b) Request transfer of Indian Child Welfare cases from State Court to Tribal Youth Court pursuant to Section 4.

(c) Make recommendations to be included in the youth counselor's predispositional and pretermination of parental rights reports as provided under this Code.

(d) Recommend to the Tribal Council any changes that should be made in the Tribal Youth Code.

(e) Make recommendations to the Tribal Council governing the licensing and operation of shelter care, foster care and other youth placement facilities.

SECTION 7 YOUTH COUNSELOR

7.1 Appointment.

The Tribal Council shall appoint a youth counselor to carry out the duties and responsibilities set forth in this Code.

7.2 Qualifications.

The youth counselor shall have an educational background and/or prior experience in the field of delivering social services to Indian youth.

7.3 Resource Development.

The youth counselor shall identify and develop resources within the tribal community designed to enhance each tribal youth's potential as a responsible member of the tribal community.

7.4 Duties Not Performed.

The youth counselor shall not be employed as, or perform the duties of, prosecutor, presenting officer, or law enforcement official.

7.5 Testifying.

The youth counselor shall not testify against any minor in any proceeding under this Code.

7.6 Duties.

(a) Make investigations as provided in this Code or as directed by the Court;

(b) Make reports as provided in this Code or as directed by the Court;

(c) Place a youth in detention or shelter care as provided in this Code; and

(d) Perform such other duties in connection with care, custody or transportation of youth as the Court requires.

SECTION 8                      PRESENTING OFFICER

8.1 Appointment.

The Tribal Council shall appoint a presenting officer to carry out the duties and responsibilities set forth in this Code.

8.2 Qualifications.

The presenting officer's qualifications shall be the same as the qualifications for the individual who serves as prosecutor for the Tribal Court.

8.3 Duties.

(a) Schedule Peacemaker Conferences as provided in this Code;

(b) File petitions with the Court as provided in this Code;

(c) Represent the Tribe in all proceedings under this Code; and

(d) Perform such other duties as the Court or this Code may require.

## SECTION 9

### PEACEMAKER

#### 9.1 Appointment.

The Tribal Council shall authorize the appointment of one or more peacemakers to carry out the duties and responsibilities set forth in this Code.

#### 9.2 Qualifications.

Peacemakers shall be knowledgeable, unbiased tribal members committed to the welfare of the Indian youth. These individuals shall have an understanding of tribal customs and traditions in regard to child rearing practices.

#### 9.3 Duties.

(a) Conduct informal conferences.

(b) Insure that during each conference all relevant facts are presented and all parties are given an opportunity to speak.

(c) Encourage the parties involved to reach a voluntary agreement which is acceptable to all and is in the best interests of the youth and the Tribe.

## SECTION 10

### GUARDIAN AD LITEM

#### 10.1 Appointment.

The Court, under any proceedings authorized by this Code, shall appoint for the purpose of that proceeding a guardian ad litem for a youth where it finds that the youth does not have a natural or adoptive parent, guardian, or custodian willing and able to exercise sound judgment as to the best interests of the youth or upon the request of the youth counselor.

10.2 Qualifications.

The guardian ad litem must be familiar with the rights of youth and the provisions of this Code.

10.3 Duties.

(a) Represent the youth's best interest in any proceeding as required by the Court; and

(b) Make recommendations to the Court on disposition.

SECTION 11 JUDICIAL OFFICER

11.1 Appointment.

The Tribal Council may appoint a judicial officer to carry out the duties and responsibilities set forth in this Code.

11.2 Qualifications.

The judicial officer shall have the same qualifications as the Youth Court Judge as specified in this Code.

11.3 Duties.

(a) Issue warrants and custody orders pursuant to Section 21; and

(b) Conduct preliminary inquiries pursuant to Section 24 and ; and

(c) Conduct hearings and make determinations concerning continuances pursuant to Section 13.

11.4 Appeals.

Any final decision of the judicial officer is subject to review on request by the Youth Court judge either at the next proceeding concerning the youth or at an independent hearing held for the purpose of reviewing the decision.

SECTION 12 SHELTER CARE, FOSTER CARE, AND OTHER PLACEMENT FACILITIES



12.1 Standards.

(a) The Squaxin Island Tribal Council, upon receiving recommendations from the Squaxin Island Tribal Youth Board and Social Services staff, shall adopt written rules and regulations governing the licensing and operation of shelter care, foster care, detention, and other placement facilities.

(b) The rules and regulations shall include, but are not limited to, the following:

- (1) Cleanliness standards;
- (2) Heat, water and light standards;
- (3) Personnel standards;
- (4) Visitation privileges;
- (5) Occupancy standards;
- (6) Provisions for medical and dental care; and
- (7) Provisions for food, furnishing, clothing, and other personal items.

12.2 Care and Treatment.

(a) The Squaxin Island Tribal Council shall prescribe and enforce policies and procedures governing the administration of shelter care, foster care, and other placement facilities.

(b) Such policies and procedures shall, as far as possible, seek to insure:

- (1) The youth is not punished by physical force, solitary confinement, or deprivation of meals, or family visits;
- (2) The youth is able to maintain and develop his/her Indian heritage and culture;
- (3) The youth's right to free speech, privacy and cultural and religious expression are not infringed;
- (4) The youth is given an opportunity to maintain a healthy body and active mind by continuing school and physical activities.

SECTION 13

CONTINUANCES

13.1 When to Order.

Except as otherwise expressly provided, the Court may continue any proceeding:

(a) Upon the motion of a party if there is a finding that good reason exists for the continuance, including time to insure proper notice or to produce material evidence or witnesses currently unavailable; or

(b) Upon the Court's own motion if it considers it to be in the best interests of the youth.

13.2 Effect.

A continuance suspends the time limits for the holding of hearings and the filing of documents.

SECTION 14

CONFIDENTIALITY

14.1 Hearings and Conferences

All tribal hearings and conferences under this Code shall be closed to the public. Only the peacemaker, the youth court judge, the youth counselor, the tribal law enforcement officers, and the parties to the action, shall be permitted at the hearings and conferences, provided that the parties may agree to allow the presence of other persons. Any person asked to testify or speak shall also be permitted at the hearings and conferences but only for the limited purpose of giving testimony or presenting evidence.

14.2 Records.

(a) All conference, hearing, and law enforcement records and files shall be confidential and shall not be open to inspection to any but the following, except as may be ordered by the Court in the youth's best interest:

(1) The youth and his/her legal representative.

(2) The parent, guardian or custodian.

(3) The youth counselor.

(4) The presenting officer.

(b) Law enforcement records and files concerning a youth shall be kept separate from the records and files of adults.

SECTION 15      CONTEMPT

15.1 Definition.

Any willful disobedience or interference with any order of the Court shall constitute contempt.

15.2 Punishment.

The Court may punish an adult for contempt in accordance with the tribal law and order code.

SECTION 16      APPEAL

16.1 Record.

For purposes of appeal, a record of the proceedings shall be made available to the youth, his/her parent, guardian or custodian. Costs of obtaining this record shall be paid by the party seeking appeal unless waived by the Court.

16.2 Time Limit.

Any party to a court hearing may appeal a final order or disposition of the case by filing a written notice of appeal with the Court within thirty (30) days of the final order or disposition.

16.3 Conduct of Proceeding.

All appeals shall be conducted in accordance with the Squaxin Island Tribal Code.

SECTION 17      RIGHTS OF PARTIES

17.1 Rights.

All parties and their legal representative of choice are entitled to the following rights in all proceedings under this Code:

(a) A statement by the Court to the youth and his/her parent, guardian or custodian that they have the right to have a legal representative advise and represent them but they may have to pay for such representation.

(b) If a party appears at a proceeding without a legal representative the Court shall advise the party of their right to request a continuance of the proceeding in order to seek legal representation.

(c) The Court shall inform a party of any available services which provide legal representation at little or no cost to qualified applicants.

(d) The opportunity to subpoena witnesses.

(e) The opportunity to introduce, examine and cross-examine witnesses.

(f) The opportunity to discover, offer and inspect evidence.

(g) The opportunity to present arguments and statements.

(h) A party need not be a witness against him/herself.

#### 17.2 Jury Trial.

There is no right to trial by jury during any proceeding under this Code.

### SECTION 18

#### GENERAL PROVISIONS

##### 18.1 Full Faith and Credit.

The Court shall give full faith and credit to state and other tribes' custody court orders to the same extent that such entities give full faith and credit to the custody court orders of the Squaxin Island Tribe.

##### 18.2 Severability.

Should any word, Section, clause, paragraph, sentence, or provision of this Code be declared invalid by a court of competent jurisdiction, such decision shall not affect the validity of any

other party of this Code which can be given effect without such invalid part or parts.

18.3 Amendments.

Amendments to this Code will be effective upon enactment by the Squaxin Island Tribal Council without further review by the Superintendent of the Bureau of Indian Affairs.

SECTION 19      DUTY TO REPORT ABUSE AND NEGLECT

19.1    Basis of Report.

Persons who have reason to believe that a youth has been abused or neglected shall report the abuse or neglect to the youth counselor.

19.2    Persons Required to Report by Written Complaint.

The following persons are required to report by written complaint suspected abuse or neglect include any physician, nurse, dentist, optometrist, or any other medical or mental health professional, school principal, school teacher, or other school official, social worker, child day center worker, or other child care staff including foster parents, residential care or institutional personnel, counselor, peace officer, or other law enforcement official, court counselor, clerk or other judicial system official.

19.3    Other Persons Reporting.

Any person may make a report of suspected abuse or neglect. Those persons reporting, except those specified in Section 19.2, may remain anonymous.

19.4    Immunity from Liability.

All persons or agencies reporting, in good faith, known or suspected instances of abuse or neglect shall be immune from civil liability and criminal prosecution.

19.5    Penalty.

Those persons required to report a case of known or suspected abuse or neglect who knowingly fail to do so or willfully prevent someone else from doing so shall be subject to a civil cause of action proceedings in Tribal Court.

SECTION 20      COMPLAINT

20.1    Who May File.

A complaint may be filed with the tribal enforcement department of the youth counselor's office by any person who has personal knowledge that a youth is in need of care as defined by this Code.

20.2 Contents of the Complaint.

The complaint shall include:

(a) The name, age and address of the youth who is subject of the complaint, if known; and

(b) A plain and concise statement of the facts upon which the complaint is based, including the date, time and location at which the alleged facts occurred; and

(c) The name of the complainant which shall not be disclosed to anyone other than a presenting officer, enforcement officer, youth counselor, judicial officer, or judge unless otherwise ordered by the Court.

20.3 Receipt of Complaint by Enforcement Officers.

(a) Upon receiving a complaint under this Section, the enforcement officer shall immediately notify the youth counselor. If the youth counselor is unavailable an enforcement officer shall immediately investigate the complaint and determine whether further action is necessary. Based on the investigation, a detailed written report shall be completed and a copy sent to the youth counselor.

(b) If the enforcement officer reasonably believes the youth is in immediate and serious danger from their surroundings and removal is necessary for the youth's safety or well being, the officer may take the youth into custody; provided that if a Youth Court judge or judicial officer is available and there is sufficient time, the enforcement officer shall first request an emergency custody order as provided under this Code.

(c) An enforcement officer who takes a youth into custody without first obtaining an emergency custody order shall proceed as follows:

(1) Release the youth to the youth's parent, guardian or custodian and issue verbal counsel or warning as may be appropriate; or

(2) Immediately notify the youth counselor and request direction as to whether the youth should be placed in shelter care and if so where.

(3) If the youth counselor cannot be reached, the officer may place the youth in shelter care but shall continue attempts to notify the youth counselor. Placement of the youth shall be in a facility approved by the Tribe for emergency shelter care.

(4) If the youth is not released, immediate and continuing efforts shall be made by both the enforcement officer and the youth counselor to notify the youth's parent, guardian or custodian as to the circumstances surrounding the youth's custody.

20.4 Receipt of Complaint by Youth Counselor.

(a) Upon receiving a complaint under this Section or a notice from a tribal enforcement officer the youth counselor shall immediately investigate the complaint to determine whether further action is necessary, or if circumstance requires it, the youth counselor may request an enforcement officer to conduct the investigation.

(b) The youth counselor shall not place a youth in shelter care or take the youth into custody unless a Youth Court judge or judicial officer has issued an emergency custody order as provided under this Code or an enforcement officer has taken the youth into custody and the youth counselor reasonably believes that the youth is in an emergency situation and requires shelter care.

(c) If the youth counselor reasonably believes that a youth is in an emergency situation and requires shelter care and a Youth Court judge or judicial officer is unavailable to issue an emergency custody order the youth counselor is authorized to take custody of the youth and immediately place the youth in shelter care. The youth counselor may request the assistance of an enforcement officer.

(d) If the youth's parent, guardian or custodian has not been notified, the youth counselor shall inform him/her at the earliest possible time and return the youth to him/her if such action is appropriate under this Section.

(e) If a youth is taken into custody under this Section and it is unlikely that he/she will be released to his/her parent, guardian or custodian



within forty-eight (48) hours, the youth counselor shall file a Request for Preliminary Inquiry.

SECTION 21      CUSTODY ORDERS AND WARRANTS

21.1 Emergency Custody Order.

(a) A Youth Court judge or judicial officer may issue an emergency custody order upon a sworn written statement of facts showing probable cause to believe the youth is in need of care and that his/her health, safety and welfare will be seriously endangered if not taken into custody.

(b) The emergency custody order shall specifically name the youth to be taken into custody, be signed by the judge or judicial officer, state the date and time issued, the place where the youth is to be taken and name the person or persons authorized to take the youth into custody.

(c) The emergency custody order shall be served during daylight hours unless service at night is specifically authorized in the order.

(d) The emergency custody order is valid for a period of forty-eight (48) hours.

(e) A youth taken into custody under this Section may be held until the conclusion of the Preliminary Inquiry unless otherwise ordered by the Court.

21.2 Bench Warrant.

A Youth Court judge or judicial officer may issue a warrant for a person's arrest for contempt upon failure to appear at any ordered conference or hearing either in person or by legal representative.

SECTION 22      INVESTIGATION BY YOUTH COUNSELOR

22.1 Investigation.

If a youth has been taken into custody or a Request for Preliminary Inquiry has been filed the youth counselor shall make an investigation to determine whether the interests of the youth and the tribal community require further action be taken.

22.2 Recommendation.

Upon completion of the investigation the youth counselor may recommend to the presenting officer that:

- (a) No further action be taken; or
- (b) A request for a mediation conference be filed; or
- (c) A petition for fact finding be filed.

22.3 No Further Action Recommended.

If the presenting officer agrees with the youth counselor that no further action be taken, the youth shall be released immediately if in custody.

SECTION 23      PEACEMAKER CONFERENCE

23.1 Request for Conference.

- (a) A mediation conference under this Section shall be initiated by a request for conference form filed by the presenting officer with the Court.
- (b) The Court shall set a conference upon a request within ten (10) days.

23.2 Notice Requirements.

- (a) Written notice of the mediation conference shall be given to the youth and his/her parent, guardian or custodian as soon as the time and place for the conference has been established, but no later than five (5) days prior to the conference.
- (b) The notice shall contain:
  - (1) The name of the Court; and
  - (2) A citation to the specific Section of this Code which gives the Court jurisdiction of the proceedings; and
  - (3) A brief statement of why a conference would be helpful in serving the youth's best interests; and

(4) The date, time and place of the mediation conference.

(c) The notice shall be delivered by a tribal enforcement officer or appointee of the Court. If the notice cannot be delivered personally, the notice shall be delivered by registered mail or any other method reasonably designed to give notice to the necessary persons shall be sufficient.

### 23.3 Procedure of Conference.

(a) The conference shall be informal and conducted by the appointed peacemaker(s).

(b) No substantive information obtained at the conference may be admitted into evidence at a court hearing or any other court proceeding unless all parties agree otherwise. However, the terms of an agreed upon supervision plan are admissible as evidence at a subsequent proceeding involving the care of the youth.

(c) If an agreed disposition is reached, it shall be set forth in writing, including any conditions or requirements to be performed. The youth, the youth's parent, guardian or custodian and the presenting officer on behalf of the Tribe shall sign the agreed disposition.

(d) The disposition shall be for a fixed time period.

(e) Should no agreement be reached during the mediation conference or the parties fail to appear at the scheduled conference, a petition to initiate a court hearing may be filed by the presenting officer.

### 23.4 Monitoring/Failure to Comply.

(a) The youth counselor shall monitor the agreed disposition throughout its term. If the youth counselor finds that there has been a failure to comply with the terms of the agreed disposition, he/she may recommend that the presenting officer file a petition.

(b) Prior to the filing of a petition, the youth or his/her parent, guardian or custodian may challenge, before the peacemaker(s), the youth counselor's finding that the youth failed to

substantially comply with the agreement. The peacemaker may reverse the youth counselor's finding and allow the agreed disposition to continue in effect.

(c) After a petition is filed, the youth or his/her parent, guardian or custodian may challenge the allegation of non-compliance before the Court. If the Court finds that the youth has complied, it shall dismiss the petition and reinstate the agreed disposition.

(d) The failure of the Squaxin Island Tribe to comply with any term, condition or duty placed on the Tribe contained in an agreed disposition shall be grounds to have the case closed. A youth or his/her parent, guardian or custodian may petition the Court to close the case.

## SECTION 24

### PRELIMINARY INQUIRY

#### 24.1 Purpose.

If a youth is placed in shelter care pursuant to Section 20, the Court shall conduct a preliminary inquiry within forty-eight (48) hours of the time the Request for Preliminary Inquiry is filed for the purpose of determining:

(a) The membership and Indian status of the youth; and

(b) The best interest of the youth and the tribe with regard to any action to be taken; and

(c) Whether there is probable cause to believe the youth is in need of care; and

(d) Whether continued shelter care is necessary pending further proceedings.

#### 24.2 Request for Preliminary Inquiry.

A request for Preliminary Inquiry shall include:

(a) The name, birthdate, residence, and tribal status, if known, of the youth; and

(b) The names and residences of the youth's parent, guardian or custodian; and

24.5 Release of Youth.

If at the conclusion of the Preliminary Inquiry the Youth Court finds that there does not exist probable cause to believe the youth is in need of care, the youth shall be released to the custody of his/her parent, guardian or custodian and the complaint shall be dismissed.

24.6 Shelter Care Placement.

A youth alleged to be in need of care may be placed, pending an inquiry or hearing in the least restrictive of the following locations based on the facts of the case:

- (a) A private home approved by the Tribe.
- (b) A foster home approved by the Tribe.
- (c) A shelter care facility approved by the Tribe.

SECTION 25      PETITION

25.1 Contents.

A fact finding hearing under this Section shall be initiated by a petition filed by the presenting officer upon receiving a recommendation by the youth counselor that it is in the best interests of the youth and the tribal community. The petition shall state:

- (a) The name, birthdate, residence, and tribal status of the youth; and
- (b) The names, residences and tribal status of the youth's parent, guardian or custodian; and
- (c) A citation to the specific Section of this Code which gives the Court jurisdiction of the proceedings; and
- (d) A detailed statement of facts and reasons which support the allegation that the youth is in need of care; however if a Request for Preliminary Inquiry was filed previously, the petition may incorporate by reference the contents of the Request;

(e) If the youth is in shelter care, the place of shelter care and the time taken into custody

25.2 Time Limits.

(a) The Court shall set a date for the hearing which shall not be more than twenty (20) days after receipt of the petition.

(b) Failure to comply with the time limits set out in this Section, without good cause shown, shall result in the dismissal of the petition and prevent any future filing of a petition based on the same facts.

25.3 Summons.

(a) At least five (5) days prior to the hearing, the Court shall issue a summons to:

- (1) The youth; and
- (2) The youth's parent, guardian or custodian; or
- (3) Any person the Court believes necessary for the hearing; and
- (4) Any person the parties believe necessary for the hearing.

(b) The summons shall contain the name of the Court, and the date, time and place of the hearing.

(c) A copy of the petition shall be attached to the summons.

(d) The summons shall be delivered personally by a tribal law enforcement officer or appointee of the Court. If the summons cannot be delivered personally, it may be delivered by registered mail. If the summons cannot be delivered personally or by registered mail, any other method reasonably designed to give notice to the necessary persons shall be sufficient.

SECTION 26      COURT FACT      FINDING HEARING

26.1 Purpose.

The Court shall conduct the fact finding hearing for the sole purpose of determining whether the youth is in need of care.

26.2 Testimony.

The Court shall hear testimony concerning the circumstances which gave rise to the petition.

26.3 Rules of Evidence.

(a) Purpose

The purpose of these rules of evidence is to ensure that the Court is able to determine the truth of a matter with a minimum of delay, confusion and uncertainty.

(b) General rules

(1) The rules of evidence used in state and federal courts shall not apply to hearings before the Squaxin Island Youth Court. But where there is more than one kind of evidence about the same subject, the Court should hear the most reliable kind of evidence. In oral testimony, persons who testify from their personal knowledge, such as first-hand observation of or participation in the event described, shall be preferred as witnesses to persons who have second-hand knowledge of the event.

(2) Evidence submitted during Court hearings must be related either to the issues before the Court or to the weight and creditability which should be given to other evidence. When questioned by the Court or another party, the party who wishes to present certain evidence shall explain why he or she thinks the evidence is relevant.

(3) When the relevance or reliability of evidence is challenged and the Court decides whether or not to use the evidence, it shall explain the decision and, if the evidence is used, state what importance the Court assigns to the evidence.

(c) Oaths

Before testifying at a Court hearing, every witness shall first state before the Court that he/she will answer with the whole truth and nothing but the truth.

(d) Questioning Witnesses

(1) When questioning a witness, the Court and parties or their representatives shall not ask questions in such a way as to suggest the answer designed, unless the witness is being cross-examined or is clearly hostile to the person asking questions.

(2) The Court shall determine the order in which parties or their representatives shall be allowed to question witnesses. The Court shall protect the witnesses from harassment or unnecessarily repetitive questioning.

(3) The Court may call and question any witnesses on its initiative.

(e) Written Testimony

(1) Testimony of a witness may be presented in written form, if the witness is unable to appear in person to testify, if the evidence presented in writing is not contradicted by other parties, or if the written testimony is offered to support a motion or an uncontested request for relief. Written testimony should show clearly who gave it and when the witness gave it. Testimony should be given under oath, if possible.

26.4 Rules for Discovery.

The rules for discovery shall be the same as those rules that govern the Tribal Court.

26.5 Burden of Proof.

The burden of proof shall be clear and convincing evidence.

SECTION 27 PREDISPOSITIONAL REPORT

27.1 Who To Submit; Purpose.



The youth counselor, in consultation with the Tribal Youth Board, shall prepare a written report describing all reasonable and appropriate alternative dispositions. The report shall contain a specific plan for the care of and assistance to the youth and his/her parent, guardian or custodian calculated to resolve the problems presented in the petition.

27.2 Contents.

The report shall contain a detailed explanation showing the necessity for the proposed plan of disposition and the benefits to the youth and his/her parent, guardian or custodian under the proposed plan.

27.3 Placement.

If placement with someone, other than the youth's parent, guardian or custodian, is recommended, the report shall contain specific reasons for not recommending placement of the youth with his/her parent, guardian or custodian.

27.4 Service.

The youth counselor shall present the predispositional report to the Court at least three (3) days before the dispositional hearing.

27.5 Inspection of Report.

The Court shall make the predispositional report available for inspection and copying by the parties to the dispositional hearing on request.

27.6 Additional Reports.

Any party to an action pursuant to this Code may file a predispositional report which shall include their recommendations for consideration by the Court.

SECTION 28      DISPOSITIONAL HEARING

28.1 When to Hold Hearing.

(a) A dispositional hearing shall take place not more than twenty (20) days after the fact finding hearing.

(b) A dispositional hearing shall be held in conjunction with the fact finding hearing if the Court determines that such action is in the best interests of the youth.

28.2 Notice.

The dispositional hearing shall be set at the fact finding hearing and such announcement shall constitute notice.

28.3 Purpose of Hearing.

(a) At the dispositional hearing, the court shall hear testimony for the purpose of determining the proper disposition of the youth.

(b) All parties shall be given the opportunity to contest the factual contents and conclusions of the predispositional reports submitted for consideration.

28.4 Predispositional Reports.

(a) At the dispositional hearing, the Court shall consider the predispositional report submitted by the youth counselor.

(b) The Court shall also consider any alternative predispositional reports submitted for review.

28.5 Dispositional Order Is Final.

The dispositional order constitutes a final order for purposes of appeal.

28.6 Dispositional Alternatives.

(a) Youth-in-need-of-care: If a youth has been determined to be in need of care, the Court may take any of the following dispositions which are listed by priority:

(1) Permit the youth to remain with his/her parent, guardian or custodian subject to such limitation and conditions as the Court may prescribe;

(2) Place the youth with an extended family member within the traditional boundaries of the Squaxin Island Tribe subject to such limitations and conditions as the Court may prescribe;

(3) Place the youth in a foster home within the traditional boundaries of the Squaxin Island Tribe which has been licensed or approved by the Tribe subject to such limitations and conditions as the Court may prescribe;

(4) Place the youth in shelter care facilities designated by the Court;

(5) Place the youth in a foster home or extended family member's home outside the traditional boundaries of the Squaxin Island Tribe subject to such limitations and conditions as the Court may prescribe;

(6) Transfer legal custody to an agency responsible for the care of youth in need of care, or to an extended family member or other person who the Court finds to be qualified to receive and care for the youth;

(7) Order legal custody by the Court and place pursuant to Section 28.6(a)(2) through (a)(5); or

(8) Recommend that termination proceedings begin.

(b) Review: Dispositional orders are to be reviewed at the Court's discretion but at least every six (6) months.

## SECTION 29      MODIFICATION OF DISPOSITIONAL ORDER

### 29.1    Reason.

A dispositional order may be modified upon motion and a showing of a good cause to modify such order.

### 29.2    Motion.

The Court may modify a dispositional order at any time upon the motion of the following:

(a)    The youth;

(b)    The youth's parent, guardian or custodian;  
or

- (c) The youth counselor; or
- (d) The presenting officer.

29.3 Hearing.

The Court shall conduct a hearing to review its dispositional order.

29.4 Review of Performance.

The Court shall review the performance of the youth, the youth's parent, guardian, or custodian, the youth counselor, and any other parties to the disposition.

29.5 Violation of Court Order.

If the request for review of a disposition is based on the alleged violation of a court order, the Court shall not modify its dispositional order unless it finds clear and convincing evidence of the violation.

PART II  
TERMINATION  
OF  
PARENTAL RIGHTS

SECTION 30

TERMINATION OF PARENTAL RIGHTS

30.1 Petition.

A termination of parental rights hearing under this Section shall be initiated by a petition for termination of parental rights filed with the Court. The petition shall include:

- (a) The name, age, residence, and tribal status of the youth who is the subject of the petition;
- (b) The names, residences, and tribal status, if known, of the youth's parent, guardian or custodian;
- (c) A citation to the specific Section of this Code which gives the court jurisdiction of the proceeding;
- (d) A brief and concise statement of the facts and reasons supporting the request for termination of the parent-youth relationship.

30.2 Notice.

(a) At least ten (10) days before the termination hearing the Court shall notify:

- (1) The youth;
- (2) The youth's parent;
- (3) The youth's guardian or custodian, if any;
- (4) Such other persons as the court deems appropriate.

(b) A summons, which shall include the petition, shall be attached to the notice and delivered to all necessary parties in the same manner as provided for notice of fact finding hearings.

30.3 Pretermination of Parental Rights Report.

(a) The youth counselor, in consultation with the Tribal Youth Board, shall prepare and present a written report to the Court at least ten (10) days before the termination of parental rights hearing. The report shall contain the findings and opinions of all professionals consulted with their recommendations to the Court.

(b) The Court shall make the pretermination of parental rights report available for inspection and copying by the parties to the termination of parental rights hearing.

30.4 Hearing.

A termination of parental rights hearing shall be held within thirty (30) days of receipt of a petition to terminate. The court shall conduct the hearing for the purpose of determining whether parental rights should be terminated based upon a finding, supported by evidence beyond a reasonable doubt, of the following:

- (a) Abandonment of the youth; or
- (b) Willful and repeated physical injuries which cause or create a substantial risk of death, disfigurement or impairment of bodily functions; or
- (c) Willful and repeated acts of sexual abuse; or
- (d) Voluntary termination of parental rights.

30.5 Disposition.

If parental rights to a youth are terminated the Court shall:

- (a) Place the youth with an extended family member; or
- (b) Place the youth in a foster care or shelter care facility which has been approved by the Tribe; or
- (c) Proceed to the adoption Section of the Code.

30.6 Voluntary Termination of Parental Rights.

Parental rights may be voluntarily terminated by a parent in writing, if signed by the parent in the presence and with approval of the Court. No voluntary termination of parental rights shall be accepted by the Court prior to ten (10) days after the birth of the child.

PART III

ADOPTION



SECTION 31

ADOPTION

31.1 Consent to Adopt.

(a) Written consent to an adoption is not required if:

(1) The parent's rights have been terminated either voluntarily or involuntarily; or

(2) The youth has been abandoned by his/her parent; or

(3) The parent has been declared incompetent.

(b) Written consent to an adoption is required of:

(1) The biological or adoptive mother;

(2) The biological, adoptive or acknowledged father;

(3) The custodian, if empowered to consent;

(4) The Court, if the custodian is not empowered to consent; and

(5) The youth, if he/she is fourteen (14) years of age or older.

(c) Written consent to an adoption shall be signed in the presence and with approval of the Court. Consent shall not be accepted by the Court prior to ten (10) days after the birth of the child.

(d) Written consent to an adoption cannot be withdrawn after the entry of an order of adoption. Consent may be withdrawn prior to the final order of adoption upon showing a hearing before the Court that the consent was obtained by fraud, duress or coercion.

31.2 Petition.

An adoption hearing under this Section shall be initiated by a petition for adoption filed with the Court. The petition shall state:

- (a) The name, date of birth and Indian status of the youth to be adopted;
- (b) The name to be given to the youth to be adopted;
- (c) The name, age, place, and duration of residence, and Indian status of the petitioner;
- (d) The names and addresses if known, of all persons whose consent to the adoption is required, but who has not consented, and the facts and circumstances which excuse any lack of consent;
- (e) The names and addresses of all persons who have or claim a right of custody to or visitation with the youth, or who are required to make payments of money for the support of the youth;
- (f) The reasons the petitioner desires to adopt the youth; and
- (g) The petition shall be signed and verified under oath by the petitioner and his/her spouse, if any.

### 31.3 Notice.

- (a) Upon receipt of a petition for adoption the Court shall schedule a time and place for a hearing.
- (b) The Court shall give at least ten (10) days notice of the hearing to all persons whose consent is required, the petitioner, the youth counselor, and to such other persons as the Court deems appropriate.

### 31.4 Pre-Adoption Reports.

- (a) Within sixty (60) days of the filing of a petition for adoption, the youth counselor shall investigate the prospective parent and file a written report with recommendations for or against placement with the applicant.
- (b) Within thirty (30) days of a court ordered investigation of a youth to be adopted, the youth counselor shall file a written report with the Court.

31.5 Adoption Hearing.

(a) An adoption hearing shall be held within ninety (90) days of receipt of an adoption petition from the prospective parent. The Court shall conduct the hearing to determine if it is in the best interests of the youth to be placed with the petitioners.

(b) In determining the best interest of the youth, the Court shall examine:

- (1) Validity of the written consent.
- (2) Termination of parental rights orders.
- (3) Length of time the youth may have been ward of the Court.
- (4) Special conditions of the youth.
- (5) Parental communication with the youth.
- (6) Youth's consent to adoption if he/she is fourteen (14) years of age or older.
- (7) Pre-adoption reports.

(c) The preference of placement in adoption of youth shall be:

- (1) Extended Indian family member.
- (2) Other extended family member.
- (3) A member or person eligible for membership in the Squaxin Island Tribe.
- (4) A member of another Indian tribe.
- (5) If this order of preference cannot be met, for good cause shown, then placement with any person who has knowledge of and a desire to foster the youth's tribal affiliation and special needs.

PART IV

GUARDIANSHIP

SECTION 32

GUARDIANSHIP

32.1 Appointment.

(a) The Court shall appoint a general guardian of the person and/or estate of a youth whenever necessary or convenient.

(b) In appointing a guardian the Court shall be guided by the best interests of the youth.

(c) If the youth is fourteen (14) years of age or older, the Court shall consider the youth's preference in appointing a guardian.

32.2 Petition.

(a) A guardianship hearing under this Section shall be initiated by:

(1) A petition of any person on behalf of the youth; or

(2) A petition of the youth him/herself if he/she is fourteen (14) years of age or older; or

(3) By the Court's own motion.

(b) The petition for guardianship shall include:

(1) The name, age, residence, and Indian status of the youth;

(2) The name, age, residence, and Indian status of the prospective guardian;

(3) The names, ages, residences, and Indian status of the youth's parent;

(4) A statement of the specific facts which form the basis for the petition and the Court's jurisdiction;

(5) A description of any previous Court hearings concerning the youth.

(c) Upon receipt of the petition, the Court shall deliver a copy to the youth counselor and schedule a hearing on the matter.

32.3 Notice.

The Court shall give at least ten (10) days notice of the date, time, place, and purpose of the guardianship hearing to the person currently having custody and care of the youth, to the youth's parent, if parental rights have not been terminated, to the youth counselor, to the petitioner and to such other persons as the Court deems appropriate.

32.4 Guardianship Report.

The youth counselor shall prepare and present a written report to the Court ~~at least~~ three (3) days before the guardianship hearing. The report shall contain information on the qualifications of the proposed guardian and the youth counselor's recommendations.

PART V

EMANCIPATION

SECTION 33

EMANCIPATION

33.1 Purpose.

Any Indian youth who is a resident or is domiciled on the Squaxin Island Reservation and is at least fifteen (15) years of age, who is living separate and apart from his/her parent, guardian or custodian, capable of self-support and of managing his/her own financial affairs, may petition the Court to have the disabilities of minority removed for limited or general purposes.

33.2 Who May Petition.

A youth may file this petition in his/her own name.

33.3 Contents.

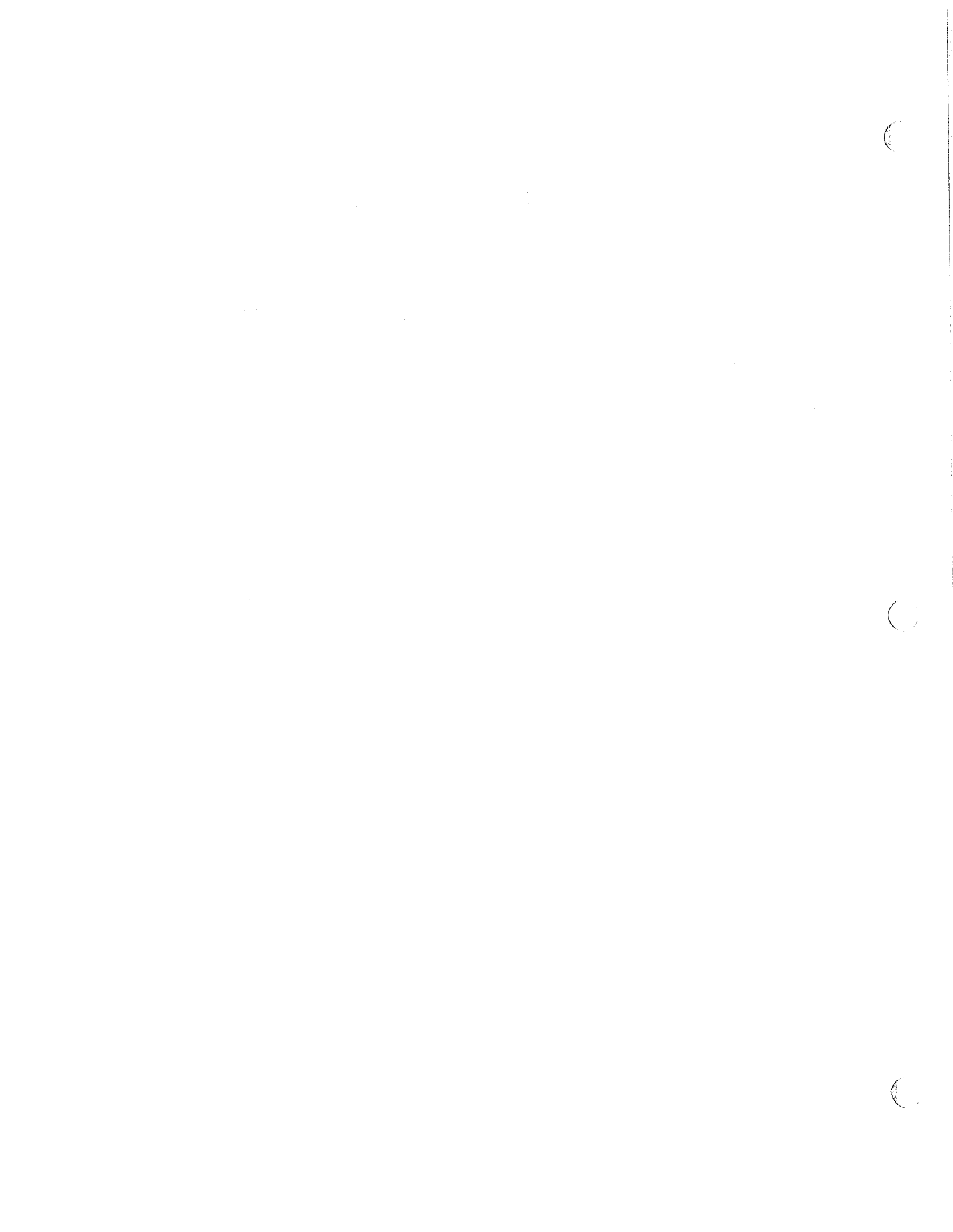
The petition for emancipation shall state:

- (a) The name, age and address of the youth;
- (b) The name and address of each living parent;
- (c) The name and address of the youth's guardian or custodian, if any;
- (d) The reasons why emancipation would be in the best interests of the youth;
- (e) The purposes for which emancipation is sought.

33.4 Consent.

- (a) The youth must obtain the consent of each living parent, guardian or custodian having control of the person or property of the youth.
- (b) If the person who is to consent to the petition is unavailable or his/her whereabouts are unknown, or if a parent, guardian or custodian unreasonably withholds consent, the Court, acting in the best interests of the youth, may waive this requirement as to the parent, guardian or custodian.
- (c) The Court may appoint a representative or a guardian ad litem to represent the interests of the youth at the hearing.





33.5 Standard To Be Applied.

The Court may remove the disabilities of minority as requested in the petition if found to be in the best interests of the youth, after a hearing. Emancipation may be for general purposes or the limited purposes specified in the order.

33.6 Rights of Emancipated Youth.

Except for specific constitutional and statutory age requirements for voting and use of alcoholic beverages, a youth whose disabilities are moved for general purposes has the power and capacity of an adult including, but not limited to, the right to control himself/herself, the right to be domiciled where he/she desires, the right to receive and control all earnings, to sue to be sued, and the capacity to contract.



# SQUAXIN ISLAND TRIBE

W 81 Hwy 108  
Route-1, Box 257 Shelton, Washington 98584  
Phone 426-9781

RESOLUTION NO. 83 - 20  
of the  
SQUAXIN ISLAND TRIBAL COUNCIL

WHEREAS, the Squaxin Island Tribal Council is the Governing Body of the Squaxin Island Tribe of Indians by the Authority of the Constitution and By-Laws of the Squaxin Island Tribe, as approved and adopted by the General Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, the Squaxin Island Tribe, in coordination with Indian Health Service, has submitted a document known as the Squaxin Island Tribal Specific Health Plan to Indian Health Service, Portland Area Office, outlining the needs of its members and a plan for fulfilling those needs; and

WHEREAS, the Portland Area Indian Health Service has announced that it is accepting contract proposals for health services for funding; and

WHEREAS, the Squaxin Island Tribal Council is aware of the critical need to continue its health care delivery system; and

WHEREAS, the Squaxin Island Tribal Council is desirous of obtaining funding for continuation and improvement of the health services for its members; and

NOW THEREFORE BE IT RESOLVED, that the Squaxin Island Tribal Council hereby submit a contract proposal for continuation of the Community Health Representative Program, to commence on October 1, 1983 through September 30, 1984 to Indian Health Service; and


BE IT FURTHER RESOLVED, that the Squaxin Island Tribal Council does hereby authorize Tribal Chairman, Tribal Vice Chairman, Tribal Secretary or Tribal Administrative Director to negotiate, execute or amend the Community Health Representative Program contract for the duration of the contract.

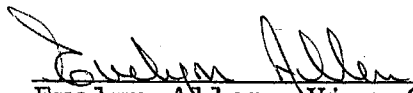


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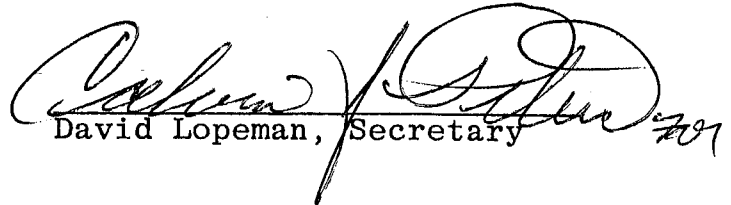
C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing resolution was adopted at a regular meeting of the Squaxin Island Tribal Council held on this 25<sup>th</sup> day of May 1983, at which time a quorum was present and passed by a vote of     for and     against.

  
David W. Whitener, Chairman

  
Evelyn Allen, Vice Chairperson

ATTESTED BY:

  
David Lopeman, Secretary