



SQUAXIN ISLAND TRIBE

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RESOLUTION
of the
SQUAXIN ISLAND TRIBE

Rhonda- 6/18
I have made
the copies I need
and return the
original for the
Council's records.
Thanks for your
help.

Ric

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 accepted by the Council Body and the Secretary of the Interior on July 8, 1965; and

WHEREAS, the Squaxin Island Tribal Council is charged with the welfare of the Squaxin Island Indian people, and

WHEREAS, the Northwest Intertribal Court System is representing the Tulalip Tribes of the Tulalip Reservation, Washington, in a case presently before the Washington State Court of Appeals, Division I, Docket No. 15486-9-1, in which the primary argument is whether the federal Indian Child Welfare Act of 1978 applies to a child custody proceeding in state court whereby a member of the Indian child's extended family petitions the court for permanent legal and physical custody of the child, on the grounds of the parents' alleged inability to care for the child, and

WHEREAS, we are of the opinion that the Indian Child Welfare Act was designed to apply to this type of case, for the Act provides substantial legal rights not guaranteed by state law for the protection of the Indian child, the Indian family, and the Indian child's tribe: including tribal rights to have prior notice of all child custody proceedings, to intervene at any point of the proceedings, to examine all documents filed with the court, and to petition for invalidation of any placement of the child that was the result of a violation of certain provisions of the Indian Child Welfare Act, among other rights, and

WHEREAS, unified support by all Washington-based Indian tribes may help to convince the Washington State Court of Appeals to rule that the Indian Child Welfare Act applies, thereby guaranteeing that we and other tribes will be accorded the rights provided by the Indian Child Welfare Act.

WHEREAS, the Native American Project of Evergreen Legal Services in Seattle, Washington, has been retained by the Nisqually Indian Community to prepare, file, and argue an amicus curiae ("friend of the court") brief in support of the argument that the Indian Child Welfare Act applies to this case, and the Native American Project had agreed to represent all other tribes who wish to join in support of this amicus curiae brief at no cost and for no fee whatsoever, and

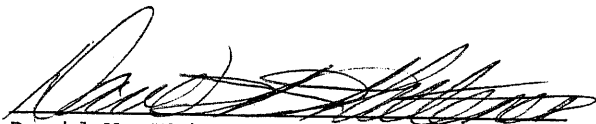
WHEREAS, our tribe is primarily composed of low-income persons eligible to receive free legal services, and has no practical means of obtaining funds to retain private legal counsel to represent it in this matter;

NOW THEREFORE BE IT:


The Squaxin Island Tribal Council hereby authorizes the Native American Project of Evergreen Legal Services to represent us with respect to preparing, filing, and arguing an amicus curiae brief in the Washington State Court of Appeals' Case No. 15486-9-I in support of the argument that the Indian Child Welfare Act applies to that type of chld custody proceeding, with the understanding that we shall not be billed for costs or fees for such representation.

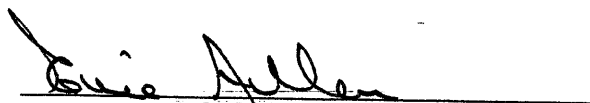
C E R T I F I C A T I O N

The Squaxin Island Tribal Council does hereby certify that the foregoing resolution was adopted at regular meeting of the Squaxin Island Tribal Council held on this 13th day of June, 1985 at which time a quorum was present and passed by vote of 4 for, and 0 against, with 0 abstentions.


David W. Whitener, Chairman

ATTESTED BY:


David Lopeman, Secretary


Evelyn Allen, Vice-Chairman