

Chapter 21 -Revitalized Judicial Committee
Revision 2025
Redline

21-04-01 JUDICIAL COMMITTEE

21-04-02 There is established a Judicial Committee which shall consist of ~~three (3)~~ seven (7) members appointed by a two-thirds (2/3) vote of the Tribal Council. Members of Tribal Council, Tribal Judges, tribal court personnel, felons, and persons owing a delinquent debt to the Tribe are not eligible for appointment.

21-04-03 The terms of the initial appointment of the Judicial Committee shall allow for staggered terms with ~~one two~~ members serving a two (2) year term, ~~one three~~ members serving a three (3) year term, and ~~one two~~ members serving a four (4) year term. Judicial Committee members shall serve a term of four (4) years from the date of appointment thereafter. Judicial Committee members shall not serve on any other tribal or District Executive Boards, boards, committees, or commissions during their appointment term. In the event that a Judicial Committee appointee cannot serve their term, an interim appointment shall complete the term of office that was originally designated for the elected judicial appointee. Thereafter, if the interim appointee is elected to the position, that appointee shall serve a term of four (4) years from the date of appointment.

21-04-04 The Judicial Committee members must have the following minimum qualifications to serve on the Committee:

1. An associate's degree or ~~two-year~~ a General Studies degree from an accredited college or university,
2. Familiarity with Acts of Congress and U.S. Supreme Court decisions dealing with Indian Tribes and individual Indians, and the Tribe's own code of law.

21-04-05 Judicial Committee members may be removed for cause, including a violation of the Tribal Code of Ethics, by a two-thirds (2/3) vote of the Tribal Council.

21-04-06 Terms of office shall be staggered upon initial appointment to the Committee and thereafter shall be for four-year terms.

~~**21-04-07** Judicial Committee members may be removed for cause, including a violation of the Tribal Code of Ethics, by a two-thirds (2/3) vote of the Tribal Council.~~

21-05-01 DUTIES OF THE JUDICIAL COMMITTEE

21-05-02 The Judicial Committee shall present qualified candidates to the Tribal Council for appointment to Judicial positions.

21-05-03 The Judicial Committee shall administer the process for accepting applications for

Judicial positions and determining the most qualified candidates.

- 21-05-04** The Judicial Committee may initiate, draft, review, and propose any new laws or amendments to the current laws of the Sisseton-Wahpeton Oyate to the Tribal Council.
- 21-05-05** The Judicial Committee will review and recommend any changes to any proposed legislation upon the request ~~by of~~ the Tribal Council or a tribal member proponent. The Judicial Committee does not have the authority to prevent the Tribal Council from enacting legislation.
- 21-05-06** The Judicial Committee ~~may~~ shall establish and implement a system for keeping records of written decisions and opinions decided by the Appellate and Tribal Courts and for maintaining original Legislative enactments pertaining to the Tribal Codes.
- 21-05-07** The Judicial Committee shall not engage in partisan politics. Members who engage in political activities are strictly prohibited from representing themselves as Judicial Committee members while so engaged.
- 21-05-08** The Judicial Committee shall serve in a liaison function between the Tribal Court and the Tribal Council. The Judicial Committee shall meet with the Chief Judge of the Tribal Court and the Court Administrator at least quarterly each year and is authorized to confer with the Chief Judge more frequently when issues of mutual interest and concern arise.
- 21-05-09** The Judicial Committee shall invite comment from the Chief Judge on all proposed new laws or amendments to current laws before making recommendations to the Tribal Council pursuant to 21-05-05 herein.
- 21-05-10** The Judicial Committee shall confer with the Chief Judge of the Tribal Court and the Court Administrator in establishing the systems mandated by 21-05-06 of this Chapter.