

PUEBLO OF LAGUNA COUNCIL

Resolution No. 85-22

Re: Amending Pueblo of Laguna Code, Section 7-2-241.A, regarding jurisdiction of the Laguna Children's Court over an act of juvenile delinquency to eliminate a requirement for the Indian child to reside on the Pueblo

At a duly called meeting of the Pueblo of Laguna Council held on the 18th day of November, 2022, the following Resolution was adopted:

WHEREAS, the Pueblo of Laguna ("Pueblo") is a federally recognized Indian tribe with all the inherent sovereign governing powers; and

WHEREAS, the Pueblo of Laguna Council (Council) is the governing body of the Pueblo with the authority to establish and enforce ordinances providing for the maintenance of law and order under Article IV, Section 2(e), of the Pueblo of Laguna Constitution (2012); and

WHEREAS, delinquent acts committed by Indian children not living on the Pueblo are not currently within the jurisdiction of the Pueblo's Children's Court to adjudicate; and

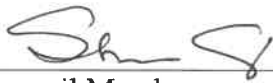
WHEREAS, the Judicial and Public Safety Committee, having fully considered the matter, recommends amendment of the Pueblo of Laguna Code in Title VII, Chapter 2, Section 241.A, establishing jurisdiction of the Pueblo of Laguna Children's Court, to authorize it to adjudicate a delinquent act committed by any Indian child within the Laguna Reservation, not just an Indian child who resides on the Reservation.


NOW, THEREFORE BE IT RESOLVED, that the Council hereby approves and enacts the amendment to Pueblo of Laguna Code Section 7-2-241.A, establishing the jurisdiction of the Pueblo of Laguna Children's Court to delete the requirement for an Indian child to reside on the Reservation as follows:

7-2-241.A. Original jurisdiction. The Pueblo of Laguna Children's Court has original jurisdiction over all proceedings established in this Code in which an Indian child ~~residing in or domiciled~~ on the Reservation is: (1) Alleged to be a "juvenile offender" as defined in article I, part I, section 7-2-3 of this Code, unless the Children's Court transfers jurisdiction to the Tribal Court according to article II, part I, section 7-2-242 of this Code.


BE IT FURTHER RESOLVED, that the Council directs the Governor to execute this resolution enacting the amendment to Section 7-2-241.A, to cause such law to be codified and published in the Pueblo of Laguna Code, and to enforce said law as amended effective **December 1, 2022**.


Governor


Council Member

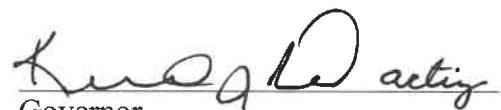

Council Member

ATTEST:


Pueblo Secretary

CERTIFICATION

The foregoing Resolution was enacted by the Pueblo of Laguna Council on the 18th day of November 2022, by a vote of 18 in favor and 0 opposed, at a duly called meeting at which a quorum of Council was present.


Governor

ATTEST:


Pueblo Secretary