



Saint Regis Mohawk Tribe

Chief Michael Conners
Chief Eric Thompson
Chief Beverly Cook
Sub-Chief Agnes Jacobs
Sub-Chief Benjamin Herne
Sub-Chief Kenneth Jock

TRIBAL COUNCIL RESOLUTION

2019 - 38

TO APPROVE UPDATE TO THE SAINT REGIS MOHAWK TRIBAL COURT FILING FEES

WHEREAS, the Saint Regis Mohawk Tribal Council (the "Tribal Council") is the duly recognized governing body of the Saint Regis Mohawk Tribe (the "Tribe") and is responsible for the health, safety, education and welfare of all community members; and

WHEREAS, through TCR 2007-01 the Tribe recognized the Tribal Court system as an independent decision-making entity with independent judicial authorities; and

WHEREAS, in TCR 2016-18 the Tribe clarified the Tribal Court filing fees with the adoption of a restated Schedule of Court fees; and

WHEREAS, the Tribal Court proposes to update Schedule of Tribal Court filing fees to adjust certain filing fees and define new fees which will establish the fees required to be paid by parties in the Tribal Court.

NOW, THEREFORE, BE IT RESOLVED:

1. The Saint Regis Mohawk Tribal Council hereby approves the Saint Regis Mohawk Tribal Court Filing Fees, as attached hereto, and intended to restate the entire fee system; and
2. This Resolution is effective the date of signing and supersedes TCR 2016-18.

SAINT REGIS MOHAWK TRIBAL COUNCIL

Michael Conners
Tribal Chief

Beverly Cook
Tribal Chief

Eric Thompson
Tribal Chief

CERTIFICATION: This is to certify that the Saint Regis Mohawk Tribal Council pursuant to the authority vested therein duly passed the above resolution.

Summer Bero Seskeha / August 14, 2019

Summer Bero, Tribal Clerk

Date

SAINT REGIS MOHAWK TRIBAL COURT FILING FEES

Civil Case less than \$3,000	\$50.00
Civil Case greater than \$3,000	\$100.00
Tribal Board or Commission Appeal to Trial Court	\$50.00
Land Dispute	\$150.00
Child Support and Custody	No fee
Probate	\$100.00
Foreign Judgment Recognition	\$100.00
Divorce	\$100.00
Adoption	\$100.00
Marriage Ceremony	\$100.00
Appeal to Appellate Court	\$100.00
Child Support and Custody Appeal to Appellate Court	No fee
Admission to Tribal Bar	\$100.00
Yearly renewal to Tribal Bar	\$20.00
Copies of Documents	\$0.10 per page
Flash drive for audio	\$10.00



Saint Regis Mohawk Tribe

Chief Beverly Cook
Chief Ron LaFrance Jr.
Chief Eric Thompson
Sub-Chief Shelley Jacobs
Sub-Chief Michael L. Conners
Sub-Chief Cheryl Jacobs

Tribal Council Resolution

2016 - 18

RESOLUTION OF THE SAINT REGIS MOHAWK TRIBE TO CLARIFY TRIBAL COURT FILING FEES WITH THE ADOPTION OF A RESTATED SCHEDULE

WHEREAS, the Saint Regis Mohawk Tribal Council is the duly recognized governing body of the Saint Regis Mohawk Tribe (the "Tribe") and is responsible for the health, safety, education and welfare of all community members; and

WHEREAS, the Saint Regis Mohawk Tribe has a significant interest in the welfare of Mohawk children including providing a court process for addressing child support without imposing significant financial burdens on any family seeking tribal court resolution; and

WHEREAS, pursuant to TCR 2008-21 the Tribal Council adopted a Schedule of Tribal Court filing fees in which the Council provided that Custody and Child Support cases would be subject to no charges; and

WHEREAS, pursuant to TCR 2010-99 the Tribal Council adopted another Schedule of Tribal Court filing fees in which the Council amended some fees, restated some fees, and adopted new and additional fees; and

WHEREAS, in adopting TCR 2010-99 the Tribal Council did not address fees applicable to custody and child support cases nor did it rescind the Schedule of Tribal Court filing fees stated in TCR 2008-21 even though they differed; and

WHEREAS, the existence of the two TCRs has caused confusion about interpreting the TCRs consistently particularly as to the applicability of court fees to custody and child support cases; and

WHEREAS, it is the intent and desire of the Saint Regis Mohawk Tribe to allow custody and child support cases to proceed through its entire court system without charge of court fees; now therefore be it

RESOLVED, that:

1. The Saint Regis Mohawk Tribe hereby rescinds TCR 2008-21 and TCR 2010-99 regarding court filing fees; and
2. The Saint Regis Mohawk Tribe hereby adopts the attached Schedule of Court Fees, which is intended to restate the entire fee system taking into account the policies and fees of the previous schedules, to be effective as of January 1, 2016.

COURT FILING FEES

Effective January 1, 2016

Civil Case less than \$3000	\$50.00
Civil Case greater than \$3000	\$100.00
Land/Real Property Dispute Fee	\$100.00
Custody and Child Support Cases	No court fees may be charged in any Tribal Court
Probate	\$100.00
Filing Foreign Judgment	\$100.00
Marriage Ceremony Fee	\$75.00
Divorce	\$400.00
Appeal Fee	\$100.00
Applicable to appeals to Tribal Appellate Court from Tribal Court and to appeals to Tribal Court from an administrative body ruling.	
Admission to Tribal Bar	\$100.00
Yearly renewal to Tribal Bar	\$20.00
Miscellaneous Fee	\$1.00 - \$10.00
The miscellaneous fee category is listed as part of the fee schedule to allow for Court costs associated with copying, audio requests, and unforeseen costs associated with maintenance of a case.	