



Sokaogon Chippewa Community

3051 Sand Lake Road, Crandon, WI 54520

Phone: (715) 478-7500 * Fax: (715) 478-5275

www.sokaogonchippewa.com



RESOLUTION NO. 9-8E-2014

ADOPTING AND RATIFYING THE TRIBAL FINANCIAL SERVICES DISPUTE RESOLUTION PROCEDURE

WHEREAS: the Sokaogon Chippewa Community is a duly organized and federally recognized Indian Tribe, organized under a Constitution adopted August 25, 1938 and approved on November 9, 1938 pursuant to Section 16 of the Indian Reorganization Act; and

WHEREAS, the Sokaogon Band of Lake Superior Chippewa Indians in Mole Lake, Wisconsin did adopt a Constitution on November 9, 1938, as amended which confers certain sovereign powers upon the Tribal governing body by members of the Sokaogon Chippewa Community; and

WHEREAS, Article IV of the Constitution, as amended, establishes a Tribal Council as the governing body of the Tribe; and

WHEREAS, the Tribal Council has the inherent power to regulate activity on the reservation; and the power, pursuant to Article VII, Section 1(e) and 1 (h) of the Constitution to manage all economic affairs and enterprise of the Community of the Constitution to delegate to subordinate boards; and

WHEREAS, the Tribal Council of Sokaogon Chippewa Community has the authority pursuant Sections 6.5.4 and of the Tribal Small Dollar Lending Ordinance and Section 6.4.4 of the Tribal Payday Lending Ordinance to enforce the provisions of both ordinances, investigate any complaints under either ordinance and delegate such authority to a designee; and

WHEREAS, the Tribal Council recognizes the need for codifying the dispute resolution procedure for claims arising under Section 6.5 – Tribal Small Dollar Lending Ordinance and Section 6.4 – Tribal Payday Lending Ordinance in order to provide for the fair and just administration of complaints; and

Ga-na-waji Ga-wi-nug Way-ji-mooki-ji-wung Yi-ewe-meing-gun-a-sepii

WHEREAS, the Tribal Council finds that a qualified independent neutral arbitrator must hold the qualifications of either being a former judge or an attorney with at least 10 years of experience who must also be independent and unbiased: and

WHEREAS, the Tribal Council finds it is imperative to ensure the fair administration of its lending ordinances that it codify a financial dispute resolution mechanism which includes binding arbitration in conformance with the Tribal Arbitration Ordinance, Section 1.8.1.

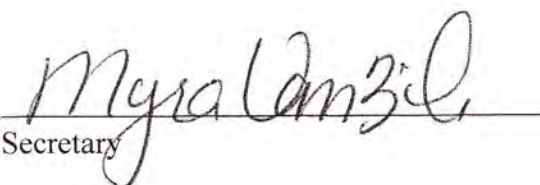
NOW THEREFORE BE IT ORDAINED, that the Tribal Council adopts and ratifies the attached **TRIBAL FINANCIAL SERVICES DISPUTE RESOLUTION PROCEDURE** (incorporated herein), effective as of October 1, 2013 to govern disputes arising under Section 6.5 Tribal Small Dollar Loan Ordinance and 6.4 Tribal Pay Day Loan Ordinance of the Sokaogon Chippewa Ordinances such procedure specifically recognizes binding arbitration by agreement as the dispute mechanism for small dollar loans and pay day loans or in the alternative the opt out provisions of proceeding to Tribal Court under the provisions of the respective ordinance(s).

BE IT FURTHER RESOLVED, that the Tribal Council pursuant to Sections 6.4.4 of the Tribal Pay Day Loan Ordinance and 6.5.4 of the Tribal Small Dollar Loan Ordinance adopts the American Arbitration Association (“AAA”) Consumer Arbitration Rules and the Supplementary Procedures for Consumer Related Disputes as amended and renamed the Consumer Arbitration Rules (the “Arbitration Rules”) in effect now and as amended in the future to govern the procedures of the binding arbitration; however, provisions of the Arbitration Rules regarding any fees, administration by the AAA and copies provided to the AAA shall not apply as no fees shall be charged for filing a claim and no fees shall be charged for the arbitrator; further, all applicable administrative provisions of the Arbitration Rules shall be handled by the arbitrator.

BE IT FURTHER RESOLVED, that the Tribal Council hereby authorizes any Tribal Council officer to execute all necessary paperwork to accomplish the purpose of this resolution.

CERTIFICATION

I, Myra Van Zile, as Tribal Secretary, hereby certify that Resolution 9-8E-2014 was duly adopted by the Sokaogon Chippewa Tribal Council, composed of 6 members of whom 5 were present, which constitutes a quorum, held on the 8th day of September, 2014 by a vote of 5 member(s) for: and 0 member(s) against; and 0 member(s) abstaining; and 1 member(s) absent.


Secretary

Ga-na-waji Ga-wi-nug Way-ji-mooki-ji-wung Yi-ewe-meing-gun-a-sepii