

1-1-2019

Isleta Pueblo Tribal Court Handbook (2019)

Tribal Law Journal Staff

Follow this and additional works at: <https://digitalrepository.unm.edu/tlj>



Part of the [Indian and Aboriginal Law Commons](#), and the [Law and Race Commons](#)

Recommended Citation

Journal Staff, Tribal Law. "Isleta Pueblo Tribal Court Handbook (2019)." *Tribal Law Journal* 6, 1 (2006).
<https://digitalrepository.unm.edu/tlj/vol6/iss1/4>

This Handbook is brought to you for free and open access by the Law Journals at UNM Digital Repository. It has been accepted for inclusion in Tribal Law Journal by an authorized editor of UNM Digital Repository. For more information, please contact amywinter@unm.edu, lsloane@salud.unm.edu, sarahrk@unm.edu.



Tribal Law Journal
University of New Mexico School of Law
Tribal Court Handbook

TLJ, Fall 2019

ISLETA TRIBAL COURT

Table of Contents

INTRODUCTION AND NOTE TO PRACTITIONERS	2
PART ONE: TRIBAL GOVERNMENT AND GENERAL INFORMATION	2
PART TWO: TRIBAL BAR PRACTICE	6
PART THREE: TRIBAL COURT RULES AND PROCEDURE	8
PART FOUR: THE JURISDICTION OF TRIBAL COURT	10
PART FIVE: TRIBAL CODES	13
PART SIX: INTERGOVERNMENTAL RELATIONS	16
PART SEVEN: STATE & OTHER GOVERNMENTAL JURISDICTION	17

NAME OF TRIBE: ISLETA

Introduction and Note to Practitioners

Tribal Court Handbook information contained herein was provided by a representative of the tribal court in response to a questionnaire provided by the Tribal Law Journal. Often information contained within a Tribal Court Handbook will change between Tribal Law Journal updates. Readers are encouraged to use the following information as a starting place for information about a tribal court and to verify that information is accurate.

Applicable to Part 7, no. 50, federal legislation: Indian Pueblo Land Act Amendment, Pub. L. No. 109-133, § 20, 119 Stat. 2573 (2005).

Part One: TRIBAL GOVERNMENT AND GENERAL INFORMATION

The purpose of this Section is to provide certain basic information about the Isleta Tribal Court and judicial system.

1. Contact Persons and Location of Appellate Court:

Name of Tribal Court	Pueblo of Isleta Appellate Court		
Contact Person Name	Christopher Little		
Title	Court Clerk		
Address	P.O. Box 730, Isleta Pueblo, NM 87022		
Phone	(505) 869-9692	Fax	(505) 869-9758
E-mail	poiappellate@isletapueblo.com		

2. Contact Persons and Location of Tribal Court:

Name of Tribal Court	Pueblo of Isleta Tribal Court		
Contact Person Name	Denise Lucero		
Title	Chief Court Clerk		
Address	P.O. Box 729, Isleta Pueblo, NM 87022		
Phone	(505) 869-9699	Fax	(505) 869-9797
E-mail	poi09005@Isletapueblo.com		

3. Name and address of the Chief Justice of the Appellate Court:

Name	Lee Bergen		
Title	Chief Justice		
Address	P.O. Box 730, Isleta Pueblo, NM 87022		
Phone			
E-mail			

4. Name and address of the Chief Judge of the Tribal Court:

Name	Verna Teller		
Title	Chief Judge		
Address	P.O. Box 729, Isleta Pueblo, NM 87022		
Phone			
E-mail			

5. Regular Appellate Court Staff:

Name	Title	Phone Number	e-mail address
Christopher Little	Appellate Court Clerk	(505) 869-9692	poiappellate@isletapueblo.com

6. Regular Tribal Court Staff:

Name	Title	Phone Number	e-mail address
Denise Lucero	Chief Court Clerk	(505) 869-9699	poi09005@isletapueblo.com
Christine Lujan	Associate Court Clerk	(505) 869-9699	poi09003@isletapueblo.com
Elizabeth Jojola	Associate Court Clerk	(505) 869-9699	poi09004@isletapueblo.com
Cheyenne Cuaron	Associate Court Clerk	(505) 869-9699	poi09006@isletapueblo.com
Dana Jiron	Court Administrator	(505) 869-9696	poi09011@isletapueblo.com
Gerald Bush	Probation Officer	(505) 869-7576	poi09011@isletapueblo.com
Jeff Jiron	Probation Officer	(505) 869-9701	poi09008@isletapueblo.com
Robert Lujan	Bailiff/Process Server		

7. Pueblo of Isleta Appellate Court Justices:

Name	Title
Lee Bergen	Chief Justice
Roshanna Toya	Associate Justice
Earl Mettler	Associate Justice
Felicia Jojola	Associate Justice
Joe Padilla	Associate Justice

8. Tribal Prosecutor for the Court:

Name	Eileen Baca-Penner		
Title	Tribal Prosecutor		
Address	Isleta Pueblo, NM 87022		
Phone	(505) 869-9710		
E-mail			

9. Public Defender for the Court:

Name	Sophie Cooper		
Title	Public Defender		
Address	PO Box 1270 Isleta, NM 87022		
Physical Address	Tribal Services Complex Bldg. C 3950 Highway 47 Albuquerque, NM 87105		
Phone	505-869-9825	Fax	505-869-9839
E-mail			
Website	https://www.isletapueblo.com/government/public-defender/		

10. Tribal Government staff person to be contacted for more information regarding Tribal Government:

Name	Pueblo of Isleta Administration Branch		
Title	Pueblo of Isleta Administration Branch		
Address	P.O. Box 1290 Isleta, NM 87022		
Phone	(505) 869-3111	Fax	(505) 869-7596
Website	https://www.isletapueblo.com/government/		

11. Driving directions to Tribal Court (attach a map if needed):

I-25 to Exit 215 – first buildings on the left, south of the Isleta Resort & Casino. Tribal Courts are in the building on the left of the parking lot.

12. What is the official name of your tribe or federally recognized organization?

Pueblo of Isleta

13. On what is your tribal government based? (Please check one and briefly describe in box)

- An IRA or OIWA constitution
- A non-IRA constitution
- A non-constitutional organizational document (*e.g. tribal legislation*)
- A traditional system (*please describe*)
- Other (*please describe*)

Pueblo of Isleta Tribal Constitution (Revised, 2016)

14. Please indicate which organic documents are possessed by the Tribe, and from whom copies are available:

Tribal Document	Available?	Obtain Copy From:
1. Tribal Constitution	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Office of the Governor; https://www.isletapueblo.com/government/tribal-council/poi-regulations-ordinances-standards/ .

15. Please indicate where your tribal jurisdiction is exercised:

- Within undisputed, clearly established reservation boundaries
- Generally within reservation boundaries, with a few outlying parcels of Indian country
(Please describe the nature of these parcels: e.g. gaming location; purchased land not used for gaming; land remaining from formerly larger reservation, etc.)
- Within Indian country (or dependent Indian community); there are no reservation boundaries
- Please describe disputes regarding the tribe’s territorial jurisdiction, including boundaries; non-Indian owned fee land; dependent Indian community status; state or county roads; or any other:

16. Tribal Court Organization:

Other branches of the Court (if any):

- Probation Office
- Truancy Office

Other Courts in Tribal Court system are checked below:

- Appellate Court
- Supreme Court
- Lower courts with different subject-matter jurisdiction
- Other: Governor’s Office (for traditional civil matters)
- Other: Isleta Tribal Council (for enrollment and membership appeals)

17. Alternative Dispute Resolution and Diversion Programs:

- Does your tribe use Alternative Dispute Resolution (ADR) in the judicial system? Yes No
If yes, please indicate below which ADR methods you use:

- Traditional Methods Diversion Programs Other: Peacemaking

- Is there additional written material available which describes your tribe’s ADR program(s)?
 Yes No *If yes, who should be contacted to obtain a copy:*

Name	Amanda Jiron		
Title	Special Projects Coordinator		
Address			
Phone	(505) 869-9700	Fax	

Part Two: TRIBAL BAR PRACTICE

Issue		Comments
1. Are there special requirements to be permitted to practice in tribal court?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Rules Regarding Professional Attorneys, Appx. 2, Vol. 1, Pueblo of Isleta Legal Code (1979); <i>See also</i> Rule 9.1, Pueblo of Isleta Rules of Criminal Procedure; <i>See also</i> https://www.isletapueblo.com/attorney-advocate-practice/
2. Are there requirements regarding knowledge of tribal culture or language:	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Rule 5, Rules Regarding Professional Attorneys, Appx. 2, Vol. 1, Pueblo of Isleta Legal Code (1979). <i>But see</i> Rule 9.1, Pueblo of Isleta Rules of Criminal Procedure.
3. Are advocates who do not have law degrees or are not members of a state bar permitted to practice in tribal court? Please describe requirements.	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Knowledge of traditional tribal law. Able to speak and understand Tiwa. <i>See</i> § 1-1-7, Vol. 1, Pueblo of Isleta Legal Code (1979) (permitting lay counselors). <i>But see</i> Rule 9.1(c) Pueblo of Isleta Rules of Criminal Procedure.
4. Do the same requirements apply for state-licensed attorneys?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	Knowledge of Tiwa not required. <i>See also</i> Rule 9.1 Pueblo of Isleta Rules of Criminal Procedure.
5. Does your tribe have a tribal bar examination? If yes, please provide details concerning requirements, how often the exam is administered and how to get more information about being admitted to the tribal bar.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<i>See</i> Rule 9.1(d) Pueblo of Isleta Rules of Criminal Procedure.
6. Can an otherwise licensed attorney who is not a member of the tribal bar be admitted for a single case? If yes, how?	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	<i>See</i> Rule 9.1(d) Pueblo of Isleta Rules of Criminal Procedure.
7. Can/must an otherwise licensed attorney who is not a member of the tribal bar associate with a member of the tribal bar on a single case? If yes, how?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	By permission of the court.
8. Does the tribal bar have a Continuing Legal Education requirement? If yes, please provide details.	<input type="checkbox"/> yes <input checked="" type="checkbox"/> no	
9. What is the total number of members of the tribal bar?	35	
10. Of the total number of members of the tribal bar, how many are licensed attorneys admitted to practice in a state?	35	

18. Other requirements for a lawyer to practice in Tribal Court:

\$500 Application Fee for Admission to Pueblo of Isleta Tribal Court, available at <https://www.isletapueblo.com/wp-content/uploads/2019/07/Application-For-Admission-to-POI-Tribal-Court.pdf>. Rule 9.1(d) Pueblo of Isleta Rules of Criminal Procedure.

\$50 Rules Regarding Professional Attorneys, Appx. 2, Vol. 1, Pueblo of Isleta Legal Code (1979).

19. Others that are allowed in practice in Tribal Court:

Tribal Spokespersons

Part Three: TRIBAL COURT RULES AND PROCEDURE

The purpose of this Section is to provide specific information regarding the rules and procedures necessary to practice in Tribal Court.

20. Tribal Court's working hours: Monday-Friday 8am-4.30pm.

21. Appellate Court's working hours: Monday-Friday, hours vary.

22. Language(s) used in Tribal Court: Tiwa and English.

23. Interpreters are available: yes – upon request no

24. Tribal court filing fees: \$15 for all cases filed by non-members of Isleta Tribe.

\$15.00 - Petitions: Custody
Guardianship
Probate
Paternity
Change of Name
Visitation
Support

\$25.00 - Complaints: Tort (money damages or injunctive relief for wrongful acts)
Debt (Insufficient funds, Loans, Collection, Restitution)
Property damages
Rent

\$15.00 – Court Cost Assessed to defendants that are convicted

Free - Temporary Restraining Orders

\$15.00 - Service of Process

\$5.00 - Certified copied (court documents)

\$15.00 - Duplicate of Cassette Tapes (court hearings, must supply blank tapes)

25. Tribal Court scheduling or docket practices where specific days or weeks are reserved:

Monday – Arraignment

Tuesday – Criminal

Wednesday – Civil & Juvenile

Thursday – Civil

Friday – Administrative & Emergency

26. Rules of conduct, or etiquette, or rules of ethics, either written or implied, which are required to practice in Tribal Court:

Code of Professional Responsibility of the American Bar Association (Rule 3, Rules of Professional Attorneys, Pueblo of Isleta Legal Code (1979)).

27. The following written rules are available for Tribal Court (Check all that apply):

<input type="checkbox"/> Civil Procedure	<input type="checkbox"/> Evidence	<input type="checkbox"/> Others:
<input checked="" type="checkbox"/> Criminal Procedure	<input checked="" type="checkbox"/> Appellate Procedure	
<input type="checkbox"/> Domestic Relations	<input type="checkbox"/> Alternative Dispute Resolution	

28. These rules can be obtained by contacting:

Name	Denise Lucero		
Title	Chief Court Clerk		
Address	P.O. Box 729 Isleta Pueblo NM 87022		
Phone	(505) 869-9699		
E-mail	poi09005@isletapueblo.com		

Pueblo of Isleta Rules of Appellate Procedure can be obtained from:

Name	Christopher Little		
Title	Court Clerk, Pueblo of Isleta Appellate Court		
Address	P.O. Box 730, Isleta Pueblo, NM 87022		
Phone	(505) 869-9692	Fax	(505) 869-9758
E-mail	poiappellate@isletapueblo.com		

29. To obtain more information on unwritten Tribal Court rules procedures, contact:

Name	Denise Lucero		
Title	Chief Court Clerk		
Address	P.O. Box 729 Isleta Pueblo NM 87022		
Phone	(505) 869-9699		
E-mail	poi09005@isletapueblo.com		

30. Tribal Court forms can be obtained from:

Is a list of tribal court and related forms available? yes no If yes, please provide a copy.

Name	Dana Jiron		
Title	Court Administrator		
Address	P.O. Box 729 Isleta Pueblo NM 87022		
Phone	(505) 869-9696	Fax	(505) 869-9747
E-mail	poi09011@isletapueblo.com		

31. Jury trials are available for the following types of cases:

Criminal
 Torts – Injury
 Traffic
 Other: Civil Matters - taxation case
 Other: _____
 Other: _____

32. Appeals are available for the following types of cases:

- Criminal Torts – Injury Traffic
- Other: Membership/enrollment (Tribal Council only)

33. Tribal Court decisions and opinions are written oral.

If written, copies of decisions and opinions are available from:

Name	Denise Lucero		
Title	Chief Court Clerk		
Address	P.O. Box 729 Isleta Pueblo NM 87022		
Phone	(505) 869-9699	Fax	(505) 869-9747
E-mail	poi09005@isletapueblo.com		

34. Trial proceedings or hearings are recorded transcribed not recorded.

If recorded or transcribed, proceedings or hearings are available from:

Name	Denise Lucero		
Title	Chief Court Clerk		
Address	P.O. Box 729 Isleta Pueblo NM 87022		
Phone	(505) 869-9699	Fax	(505) 869-9747
E-mail	poi09005@isletapueblo.com		

25. Appellate proceedings or hearings are recorded transcribed not recorded.

If recorded or transcribed, proceedings or hearings are available from:

Name	Christopher Little		
Title	Court Clerk, Pueblo of Isleta Appellate Court		
Address	P.O. Box 730, Isleta Pueblo, NM 87022		
Phone	(505) 869-9692		
E-mail	poiappellate@isletapueblo.com		

Part Four: THE JURISDICTION OF TRIBAL COURT

The purpose of this Section is to provide information regarding the law that applies to cases heard in Tribal Court.

35. Information regarding a written Tribal Code can be obtained from:

Name	Sarah Zuni		
Title	Tribal Council Secretary		
Address	P.O. Box 729, Isleta Pueblo, NM 87022		

Phone	(505) 869-9746	Fax	(505) 869-5276
E-mail			

36. Does the tribe or the court have a definition of “non-member Indian” for jurisdictional or service purposes?

yes no If yes, please indicate what that definition is, and describe whether there are different definitions for different purposes (e.g., tribal services or criminal jurisdiction).

37. Does the tribe exercise jurisdiction over members off-reservation?

yes no If yes, please specify subject matter and circumstances (check all that apply):

- Indian Child Welfare Act
- Hunting, Fishing or Subsistence
- Other: Child Support enforcement
- Other: Domestic Violence act
- Other: Federal: Criminal/civil over persons on trust lands or fee lands around Pueblo and other lands controlled by Pueblo.

38. Does a significant number of non-member Indians live within the tribe’s jurisdiction?

yes no Comments: Reservation population – estimated at 5000, includes approximately 1,000 non-member Indians and non-Indians residing within reservation.

39. Do a significant number of non-Indians visit tribal lands on a regular basis?

yes no If yes, please indicate the types of visits (check all that apply):

- Gaming
- Resort
- Smokeshop
- Tourism
- Hunting/Fishing
- Other: Contractors
- Transients on Interstate Highway
- Transients on Other Highways

40. Are there problems presented by these visitors, such as increased traffic violations, hunting or wood cutting violations?

yes no If yes, please describe these problems and indicate whether disputes are presently settled in tribal court or other forum (please specify forum, such as state court):

Approximately 250,000 vehicles traverse the reservation daily, increasing the number of traffic violations. All non-Indian violators are reported to State Magistrate Court in Los Lunas, or Metro Court in Albuquerque.

41. Are there federal laws or treaty provisions that *specifically* limit *your* tribe’s jurisdiction over non-members or non-Indians (as opposed to limitations on all tribes)?

yes no If yes, please indicate the specific law or provision and the limitation:

Federal Statute: Indian Pueblo Land Act Amendment, Pub. L. No. 109-133, § 20, 119 Stat. 2573 (2005) over

Non-Indians Non-member Indians

Treaty Provision: _____ over

Non-Indians

Non-member Indians

42. Over which groups of persons does your tribal constitution or traditional system permit jurisdiction?

Tribal Constitution

- Tribal Members Only
- All persons, civil
- All persons, criminal
- All Indians, civil
- All Indians, criminal

Traditional System

- Tribal Members Only
- All persons, civil
- All persons, criminal
- All Indians, civil
- All Indians, criminal

43. Has the tribe, by tribal legislation, limited its jurisdiction to members?

yes no If yes, is the jurisdiction General over all actions, or as to specific matters (please specify the subject matters):

Part Five: TRIBAL CODES

The purpose of this Section is to provide information regarding any Tribal Codes that apply to practice in Tribal Court.

- 41. Does your tribe's Constitution or Tribal Code contain a Bill of Rights?** yes no
If yes, are copies available?

Copy of Tribal Constitution available online at:

<https://www.isletapueblo.com/wp-content/uploads/2018/05/2016poiconstitution-web.pdf>

- 42. Does your tribe have a written code?** yes no
If yes, the code is based on:

- written customary law
 a modern (Western-style) code
 Both customary law and modern (Western-style) code

- 43. Is a copy of the tribal code readily available to any person who wants it?** yes no
If yes, where can a copy be obtained?

Published codes are available online at:

<https://www.isletapueblo.com/government/tribal-council/poi-regulations-ordinances-standards/>

- 44. Has the tribal code ever been comprehensively codified?**

See available codes at <https://www.isletapueblo.com/government/tribal-council/poi-regulations-ordinances-standards/>

- 45. Please indicate which of the following are covered in your tribal code (check all that apply):**

See available codes at <https://www.isletapueblo.com/government/tribal-council/poi-regulations-ordinances-standards/>

<p>FAMILY LAW (Domestic Relations)</p> <p><input type="checkbox"/> Marriage</p> <p><input type="checkbox"/> Divorce</p> <p><input checked="" type="checkbox"/> Child Support and Enforcement</p> <p><input checked="" type="checkbox"/> Visitation</p> <p><input checked="" type="checkbox"/> Paternity</p> <p><input checked="" type="checkbox"/> Guardianship</p> <p><input checked="" type="checkbox"/> Abuse and Neglect</p> <p><input checked="" type="checkbox"/> Out of home placement</p> <p><input checked="" type="checkbox"/> Children in Need of Supervision (CHINS)</p> <p><input checked="" type="checkbox"/> Adoption (including ICWA)</p> <p><input checked="" type="checkbox"/> Probate (Estate distributions)</p> <p><input checked="" type="checkbox"/> Domestic Violence</p> <p><input checked="" type="checkbox"/> Elder Protection</p> <p><input type="checkbox"/> Other: <u>Legal Separations</u></p>	<p>HOUSING AND LAND USE</p> <p><input checked="" type="checkbox"/> Evictions</p> <p><input checked="" type="checkbox"/> Housing authority actions</p> <p><input checked="" type="checkbox"/> Trespass</p> <p><input type="checkbox"/> Land assignments</p> <p><input type="checkbox"/> Land use</p> <p><input type="checkbox"/> Landlord-tenant</p> <p><input checked="" type="checkbox"/> Grazing/Farming</p> <p><input type="checkbox"/> Other: _____</p> <p>TRIBAL AFFAIRS</p> <p><input checked="" type="checkbox"/> Enrollment</p> <p><input type="checkbox"/> TERO and other employment rights</p> <p><input type="checkbox"/> Elections</p> <p><input type="checkbox"/> Voter Registration</p> <p><input type="checkbox"/> Eligibility to run for office</p>
---	---

<p>JUVENILE JUSTICE</p> <p><input checked="" type="checkbox"/> Status offenses (curfew, truancy, underage possession of alcohol, etc.)</p> <p><input checked="" type="checkbox"/> Non-status offenses (criminal)</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p>	<p><input type="checkbox"/> Recounts</p> <p><input type="checkbox"/> Campaign Financing</p> <p><input type="checkbox"/> Other election disputes</p> <p><input checked="" type="checkbox"/> Appeals</p> <p><input type="checkbox"/> Other: _____</p> <p><input type="checkbox"/> Other: _____</p>
<p>ENVIRONMENTAL</p> <p><input type="checkbox"/> Housing</p> <p><input type="checkbox"/> Building</p> <p><input type="checkbox"/> Sanitation</p> <p><input type="checkbox"/> Solid Waste</p> <p><input type="checkbox"/> Water</p> <p><input type="checkbox"/> Air</p> <p><input type="checkbox"/> Noise</p> <p><input type="checkbox"/> Other: _____</p> <p>CIVIL COMMITMENTS</p> <p><input checked="" type="checkbox"/> Mental Health</p> <p><input checked="" type="checkbox"/> Substance Abuse</p> <p><input checked="" type="checkbox"/> Juvenile commitment</p> <p><input type="checkbox"/> Physical disability</p> <p><input type="checkbox"/> Developmentally disabled (severely retarded) or other disorder (stroke, persistent vegetative state) disability</p> <p><input type="checkbox"/> Other: _____</p> <p>TRAFFIC</p> <p><input checked="" type="checkbox"/> DWI</p> <p><input checked="" type="checkbox"/> Speeding</p> <p><input checked="" type="checkbox"/> Reckless Operation</p> <p><input checked="" type="checkbox"/> Driver's Licenses</p> <p><input checked="" type="checkbox"/> Vehicle Licenses</p> <p><input checked="" type="checkbox"/> Insurance requirements</p> <p><input type="checkbox"/> Other: _____</p> <p>COMMERCIAL TRANSACTIONS</p> <p><input checked="" type="checkbox"/> Contracts</p> <p><input type="checkbox"/> Consumer protection</p> <p><input type="checkbox"/> Collection of debts</p> <p><input type="checkbox"/> Other: _____</p> <p>TORTS</p> <p><input type="checkbox"/> Personal Injury</p> <p><input type="checkbox"/> Defamation, libel, slander</p> <p><input type="checkbox"/> Other: <u>Medical Malpractice</u></p> <p><input type="checkbox"/> Other: _____</p>	<p>CRIMINAL LAW</p> <p><input checked="" type="checkbox"/> Assault and battery</p> <p><input checked="" type="checkbox"/> Harassment and stalking</p> <p><input checked="" type="checkbox"/> Kidnapping</p> <p><input checked="" type="checkbox"/> Trespass</p> <p><input checked="" type="checkbox"/> Property damage</p> <p><input checked="" type="checkbox"/> Larceny</p> <p><input checked="" type="checkbox"/> Extortion</p> <p><input checked="" type="checkbox"/> Embezzlement</p> <p><input checked="" type="checkbox"/> Receiving stolen property</p> <p><input type="checkbox"/> Illegal kickbacks</p> <p><input checked="" type="checkbox"/> Marital and familial offenses (e.g. bigamy, unlawful cohabitation, incest)</p> <p><input checked="" type="checkbox"/> Sexual offenses (other than children as victims)</p> <p><input checked="" type="checkbox"/> Alcohol and other intoxicants (including selling, possession, bootlegging, trafficking, distributing, etc.)</p> <p><input checked="" type="checkbox"/> Homicide (murder & lesser offenses involving the death of a human being)</p> <p><input checked="" type="checkbox"/> Crimes against children & dependents, including sex crimes</p> <p><input checked="" type="checkbox"/> Bribery</p> <p><input checked="" type="checkbox"/> Perjury and false affirmations</p> <p><input checked="" type="checkbox"/> Malicious prosecution</p> <p><input checked="" type="checkbox"/> Conspiracy to commit a crime</p> <p><input checked="" type="checkbox"/> Worthless checks</p> <p><input type="checkbox"/> Welfare fraud</p> <p><input type="checkbox"/> Securities fraud</p> <p><input type="checkbox"/> Racketeering</p> <p><input type="checkbox"/> Election fraud or interfering with elections</p> <p><input type="checkbox"/> Computer crimes (e.g. computer access with intent to defraud or embezzle, unauthorized computer use)</p> <p><input checked="" type="checkbox"/> Controlled substances (e.g. drug selling, possession, distribution, trafficking, etc.)</p> <p><input checked="" type="checkbox"/> Crimes against public peace (e.g. disorderly conduct, unlawful assembly, rioting)</p> <p><input checked="" type="checkbox"/> Interference with law enforcement (e.g. resisting, evading, obstruction, assault, battery, refusing to aid, concealing identity, aiding a felon, escape from jail, assisting escape, bringing contraband into jail)</p> <p><input checked="" type="checkbox"/> Official misconduct (e.g. demanding or receiving illegal fees, making false vouchers, paying or receiving tribal money for services not provided)</p> <p><input type="checkbox"/> Other: <u>Arson</u></p> <p><input type="checkbox"/> Other: <u>Credit Card Fraud; Business and Commercial Fraud</u></p> <p><input type="checkbox"/> Other: <u>Violations of Traditional Laws</u></p>
<p>COURT PROCEDURES</p>	<p>OTHER CODE PROVISIONS (Please specify):</p>

<input checked="" type="checkbox"/> Criminal Court procedures (e.g. requirements for filing a complaint, time limits for hearings and motions, format for documents) <input type="checkbox"/> Civil Court procedures (e.g. requirements for filing a petition or complaint, time limits for hearings and motions, format for documents) <input type="checkbox"/> Juvenile or Children’s Court procedures (e.g. requirements for filing a petition, time limits for hearings and motions, format for documents) <input checked="" type="checkbox"/> Appellate Court procedures (e.g. requirements for allowing appeals, time limits, notice of appeal) <input type="checkbox"/> Administrative Court procedures (e.g. from decisions made by tribal departments such as housing, personnel, land use & realty, environmental, membership, or elections board) <input checked="" type="checkbox"/> Procedures for appeals from council (legislative) decisions. <input checked="" type="checkbox"/> Code of Judicial or Professional Responsibility <input type="checkbox"/> Other: _____	Residence Ordinance, Amended 2011, available at https://www.isletapueblo.com/wp-content/uploads/2018/05/poiresidenceord2011wexba-web081417.pdf
--	---

46. Has your tribe waived its immunity from suit in court? yes no

If no, go to question 46.

If yes, please indicate which of the following applies:

- General Waiver
- Limited Waiver (check all that apply)
 - For tort claims against the tribe *Tribal-State Class III Gaming Compact of the State of New Mexico and the Pueblo of Isleta (2001)*.
 - For civil rights claims against the tribe
 - For specific business activities
 - As to special tribal public agencies (e.g. housing authority)
 - As to tribally-owned business enterprises
 - Other: _____
- Specific to:
 - Tribal Court
 - Federal Court
 - State Court

47. Is the civil jurisdiction of your tribe limited by any federal statute? yes no

If yes, please indicate the statute:

Part Six: INTERGOVERNMENTAL RELATIONS

48. Does your tribe, pueblo, or village have any agreements to **RECEIVE** services **from** or to use facilities of a state, county, municipality, or other tribe? yes no

If yes, please complete the following chart:

Type of Service	Type of Agreement	Agreement is With:
Cross Deputization	<input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Municipal Government Law Enforcement
Shelter Care	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Treatment/Counseling	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Detention Facilities	<input checked="" type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Valencia County (adult and juvenile) Southern Ute Detention Facility Bernalillo County Juvenile Detention Center
Correction Facilities	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
<i>Other (Please Describe)</i>	<input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Isleta & Valencia County for EMT & Fire services

49. Does your tribe, pueblo, or village have any agreements to **PROVIDE** services or the use of facilities **TO** a state, county, municipality, or other tribe? yes no

If yes, please complete the following chart:

Type of Service	Type of Agreement	Agreement is With:
Cross Deputization	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Shelter Care	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Treatment/Counseling	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Detention Facilities	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Correction Facilities	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
<i>Other (Please Describe)</i>	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	

Part Seven: STATE & OTHER GOVERNMENTAL JURISDICTION

The purpose of this Section is to provide information regarding jurisdiction that has been granted by your tribe to any state or other governmental entity.

50. Has any state government been granted jurisdiction over any portion of your reservation by treaty, federal legislation, or tribal legislation? yes no

If yes, jurisdiction was granted by (Check all that apply, and describe briefly):

<input type="checkbox"/> Treaty: (Please specify and describe)	
<input checked="" type="checkbox"/> Federal Legislation (P.L. 83-280 or other – please specify and describe)	Indian Pueblo Land Act Amendment, Pub. L. No. 109-133, § 20, 119 Stat. 2573 (2005) (IPLA gives the State criminal jurisdiction over <i>non-Indian</i> criminal offenses not subject to federal jurisdiction). Indian Gaming Regulatory Act, 18 U.S.C.A. § 1166(d) (1988) (prosecution of state gambling laws are concurrent between state and federal governments pursuant to New Mexico-Pueblo of Isleta Gaming Compact).
<input type="checkbox"/> Tribal Legislation (Please specify and describe)	

51. Is state jurisdiction limited? yes no

If yes, jurisdiction is limited to:

<input checked="" type="checkbox"/> Persons: (Please specify and describe)	Indian Gaming Regulatory Act, 18 U.S.C.A. § 1166(d) (1988) (non-members).
<input checked="" type="checkbox"/> Subject Matter: (Please specify and describe)	Indian Pueblo Land Act Amendment, Pub. L. No. 109-133, § 20, 119 Stat. 2573 (2005) (criminal matters not subject to federal jurisdiction involving non-Indians). Indian Gaming Regulatory Act, 18 U.S.C.A. § 1166(d) (1988) (violation of state gambling laws).

52. Does your tribe exercise concurrent jurisdiction with the state? yes no

If yes, concurrent jurisdiction is over:

<input checked="" type="checkbox"/> Persons: (Please specify and describe)	As noted above and as permitted based on parties domicile.
<input checked="" type="checkbox"/> Subject Matter: (Please specify and describe)	Civil matters, including Indian Child Welfare Act.

53. Does your tribe receive services from the state and municipal governments, law enforcement and court systems under state jurisdiction? yes no

If yes, the services provided are the result of:

Agreement or Contract

Federal Court order or settlement

The services provided are: