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Mescalero Apache Tribal Court Handbook (2019)

Tribal Law Journal Staff

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

TLJ, Fall 2019 (Indian Law Section of the State Bar of NM 1991)

MESCALERO APACHE TRIBAL COURT

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NAME OF TRIBE: Mescalero Apache

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 utilize 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 your Tribal Court and judicial system. Anyone practicing in Tribal Court will need to know where the Court is located, how it is organized, and who to contact for more information.

1. Contact Persons and Location of Tribal Court:

Name of Tribal Court	Mescalero Tribal Court		
Contact Person Name	Yvette Beetley		
Title	Court Administrator		
Address	159 Deer Trail Mescalero, NM 88340 Mailing Address: PO Box 227, Mescalero NM 88340		
Phone	575-464-0414	Fax	575-464-4863
E-mail	tribalcourt@mescaleroapachetribe.com		

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

Name	Vacant		
Title	Chief Judge		
Address	159 Deer Trail Mescalero, NM 88340		
Phone	575-464-0414	Fax	575-464-4863
E-mail	tribalcourt@mescaleroapachetribe.com		

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

From Albuquerque:

1. South on I-25 to exit 139
2. East on US-380
3. Turn right (South) onto East Ave
4. Turn right onto US-54 W/Central Ave
5. Continue to follow US-54 W
6. Turn right on St Francis Dr.
7. Sharp left to stay on St Francis Dr.
8. Take the Exit toward Bureau of Indian Affairs
9. Turn left on Eagle Dr.
10. Turn left on Lipan Ave
11. In .1 mile you arrive at the corner of Lipan and Deer Trail Dr.
- 12. Arrive at 159 Deer Trail Dr.**

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

Mescalero Apache Tribe

5. 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*)

Constitution provides for separation of powers between the legislative, executive, and judicial branches. Revised January 12, 1965. Amended October 18, 1988.

6. 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	Christlyn Kirgan, File Clerk PO Box 227, Mescalero NM 88340 Or Contact General Tribal Court Phone: 575-464-0414
2. Bill of Rights	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Christlyn Kirgan, File Clerk PO Box 227, Mescalero NM 88340 Or Contact General Tribal Court Phone: 575-464-0414
3. Organizational Statute	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Christlyn Kirgan, File Clerk PO Box 227, Mescalero NM 88340 Or Contact General Tribal Court Phone: 575-464-0414
4. Tribal Law & Order Code	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Christlyn Kirgan, File Clerk PO Box 227, Mescalero NM 88340

		Or Contact General Tribal Court Phone: 575-464-0414
5. Children's Code and Child Support Enforcement Code	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Christlyn Kirgan, File Clerk PO Box 227, Mescalero NM 88340 Or Contact General Tribal Court Phone: 575-464-0414

7. 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:

8. Regular Court Staff:

Name	Title	Phone Number	e-mail address
Yvette Beetley	Court Administrator	575-464-0414	
Zandra Smith	Court Clerk	575-464-0414	
Alieh Shaffer	Court Clerk	575-464-0414	
Mary Tsinnijinnie	Court Clerk	575-464-0414	
Tamerah Shanta	Court Clerk	575-464-0414	
Christlyn Kirgan	File Clerk	575-464-0414	

9. Tribal Court Organization:

Other branches of the Court (if any):

Other Courts in Tribal Court system are checked below:

- Appellate Court (Three trial court judges empaneled by the Chief Judge to hear appeals)
- Supreme Court (Tribal Council)
- Lower courts with different subject-matter jurisdiction
- Other: Mediation Program
- Other: _____
- Other: _____

10. Number of judges on the Tribal Court: (Please provide list of names, titles, and contact information for each judge)

Judge Positions	# of Full-time Positions	# of Part-time Positions	# of Pro-tem Positions
Tribal Court Judge	3	n/a	1
Specialized Court Judges			
Appellate Court Judges			

Other: Conflict Judges		1	
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11. Tribal Prosecutor for the Court :

Name	Vacant Position		
Title	Chief Tribal Prosecutor		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

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

Name	Tammy Torres		
Title	Tribal Councilwoman		
Address			
Phone	575-464-4494		
E-mail			

13. Tribal Justice System Staff: (Please provide list of names, titles, and contact information for each position)

Tribal Justice System Position	# of Full-time Positions	# of Part-time Positions	# of Pro-tem Positions
Court Administrators/Clerks	6	1	0
Probation Officers	3	N/A	0
Prosecutors	N/A	N/A	N/A
Public Defenders	1	N/A	N/A
Bailiffs	1	N/A	N/A
Juvenile Officers	1	N/A	N/A
Other:			

14. Use of Attorneys: *(Please indicate the number of full and part time attorneys or law school graduates your tribal justice system currently utilizes – enter 0 for positions which are not held by attorneys or law school graduates)*

Tribal Justice System Position	# of Full-time Positions	# of Part-time Positions	# of Pro-tem Positions
Judges who are licensed attorneys	0	0	
Judges who are law school graduates, but not licensed in any state	0	0	
Prosecutors who are licensed attorneys	0	0	
Prosecutors who are law school graduates, but not licensed in any state	0	0	
Public defenders who are licensed attorneys	0	0	
Public defenders who are law school graduates but not licensed in any state	0	0	

15. 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
 Mediation
 Settlement Facilitation
 Arbitration
 Diversion Programs
 Other: _____

Please describe:

- 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:*

Part Two: TRIBAL BAR PRACTICE

(Please attach additional information for each question if available)

Issue		Comments
1. Are there special requirements to be permitted to practice in tribal court?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	Mescalero Apache does not maintain a bar association. Non-member attorneys wishing to practice in tribal court must submit a written application for approval of the Tribal Council Non-member attorneys can only represent clients in criminal proceedings; not allowed to appear in civil proceedings.
2. Are there requirements regarding knowledge of tribal culture or language:	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	
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	Tribal members may represent clients in both criminal and civil cases in tribal court as a Lay Advocate.
4. Do the same requirements apply for state-licensed attorneys?	<input checked="" type="checkbox"/> yes <input type="checkbox"/> no	
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	
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 checked="" type="checkbox"/> yes <input type="checkbox"/> no	
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	
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?	N/A	
10. Of the total number of members of the tribal bar, how many are licensed attorneys admitted to practice in a state?	N/A	

16. Other requirements for a lawyer to practice in Tribal Court: See above

17.Others that are allowed in practice in Tribal Court: See Above

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.

18. Tribal Court’s working hours:

Monday-Friday, 8:00 am-4:30 pm (Open during the lunch hour)

19. Language(s) used in Tribal Court:

English and Apache

20. Interpreters are available: yes no

Name	Request through Court Clerk		
Title			
Address			
Phone			
E-mail			

21. Tribal court filing fees:

- Civil: \$35
- Divorce: \$50
- Appeal: \$25
- Drop fee: \$15
- Request for Copies: \$1per page

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

- Civil Hearings: Monday & Wednesday
- Children’s Hearings: Tuesday & Thursday
- Criminal:
 - Arraignments: Monday, Wednesday, Friday 10:00 am
 - Pre-Trials: Tuesday & Thursday (every other)
 - Trials: Tuesday & Thursday (every other)
- Traffic Citations: Wednesday 9:00 am (every other)
- Conservation Citations: Wednesday 9:00 am (every other)

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

The ABA Professional Rules of Conduct are expected to be followed by attorneys appearing in Mescalero Tribal Court.

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

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

25. These rules can be obtained by contacting:

Name	Zandra Smith		
Title	Court Clerk		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

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

Name	Zandra Smith		
Title	Court Clerk		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

27. 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	Yvette Beetley		
Title	Court Administrator		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

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

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

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

- Criminal
 Torts – Injury
 Traffic
 Other: Review limited to legal error or conflicts within tribal custom and tradition only

30. Tribal Court decisions and opinions are written oral.

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

Name	Yvette Beetley		
Title	Court Administrator		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		

E-mail	
--------	--

31. Trial proceedings or hearings are recorded transcribed not recorded.
 If recorded or transcribed, proceedings or hearings are available from:

Name	Christlyn Kirgan		
Title	File Clerk		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

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.

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

Name	Christlyn Kirgan		
Title	File Clerk		
Address	PO Box 227, Mescalero NM 88340		
Phone	575-464-0414		
E-mail			

33. 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).

34. 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: Family law, Domestic Violence
- Other: Traditional Matters

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

yes no Comments:

36. 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: _____
- Transients on Interstate Highway
- Transients on Other Highways

37. 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):
Domestic violence, trespassing, wood, sightseeing, hunting and fishing violations.

38. 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: _____ over
 Non-Indians Non-member Indians

Treaty Provision: _____ over
 Non-Indians Non-member Indians

39. 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

40. 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?

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?

It can be easily obtained online at this link:

<https://mescaleroapachetribe.com/wp-content/uploads/Tribal-Code-FINAL-092716-for-tabling-372018.pdf>

44. Has the tribal code ever been comprehensively codified? yes no

If yes, when was the last time the tribal codified?

Date: Revised September 9, 2016

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

<p>FAMILY LAW (Domestic Relations)</p> <p><input checked="" type="checkbox"/> Marriage</p> <p><input checked="" 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 checked="" type="checkbox"/> Other: <u>Legal Separations</u></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>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 checked="" type="checkbox"/> Land assignments</p> <p><input checked="" type="checkbox"/> Land use</p> <p><input checked="" 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 checked="" type="checkbox"/> Elections</p> <p><input checked="" type="checkbox"/> Voter Registration</p> <p><input checked="" type="checkbox"/> Eligibility to run for office</p> <p><input checked="" 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 checked="" type="checkbox"/> Housing</p> <p><input checked="" type="checkbox"/> Building</p> <p><input checked="" type="checkbox"/> Sanitation</p> <p><input checked="" type="checkbox"/> Solid Waste</p> <p><input checked="" type="checkbox"/> Water</p> <p><input checked="" 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 checked="" type="checkbox"/> Physical disability</p>	<p>CRIMINAL LAW</p> <p><input checked="" type="checkbox"/> Assault and battery</p> <p><input type="checkbox"/> Harassment and stalking</p> <p><input 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 checked="" 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>

<input checked="" type="checkbox"/> Developmentally disabled (severely retarded) or other disorder (stroke, persistent vegetative state) disability <input type="checkbox"/> Other: _____ TRAFFIC <input checked="" type="checkbox"/> DWI <input checked="" type="checkbox"/> Speeding <input checked="" type="checkbox"/> Reckless Operation <input checked="" type="checkbox"/> Driver's Licenses <input type="checkbox"/> Vehicle Licenses <input type="checkbox"/> Insurance requirements <input type="checkbox"/> Other: _____ COMMERCIAL TRANSACTIONS <input type="checkbox"/> Contracts <input type="checkbox"/> Consumer protection <input type="checkbox"/> Collection of debts <input type="checkbox"/> Other: _____ TORTS <input type="checkbox"/> Personal Injury <input type="checkbox"/> Defamation, libel, slander <input type="checkbox"/> Other: <u>Medical Malpractice</u> <input type="checkbox"/> Other: _____	<input checked="" type="checkbox"/> Alcohol and other intoxicants (including selling, possession, bootlegging, trafficking, distributing, etc.) <input type="checkbox"/> Homicide (murder & lesser offenses involving the death of a human being) <input checked="" type="checkbox"/> Crimes against children & dependents, including sex crimes <input checked="" type="checkbox"/> Bribery <input checked="" type="checkbox"/> Perjury and false affirmations <input type="checkbox"/> Malicious prosecution <input checked="" type="checkbox"/> Conspiracy to commit a crime <input checked="" type="checkbox"/> Worthless checks <input type="checkbox"/> Welfare fraud <input type="checkbox"/> Securities fraud <input type="checkbox"/> Racketeering <input type="checkbox"/> Election fraud or interfering with elections <input type="checkbox"/> Computer crimes (e.g. computer access with intent to defraud or embezzle, unauthorized computer use) <input checked="" type="checkbox"/> Controlled substances (e.g. drug selling, possession, distribution, trafficking, etc.) <input checked="" type="checkbox"/> Crimes against public peace (e.g. disorderly conduct, unlawful assembly, rioting) <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) <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) <input type="checkbox"/> Other: <u>Arson</u> <input type="checkbox"/> Other: <u>Credit Card Fraud; Business and Commercial Fraud</u> <input checked="" type="checkbox"/> Other: <u>Violations of Traditional Laws</u>
COURT PROCEDURES <input checked="" type="checkbox"/> Criminal Court procedures (e.g. requirements for filing a complaint, time limits for hearings and motions, format for documents) <input checked="" type="checkbox"/> Civil Court procedures (e.g. requirements for filing a petition or complaint, time limits for hearings and motions, format for documents) <input checked="" 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: _____	OTHER CODE PROVISIONS (Please specify):

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
 - 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 type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	
Shelter Care	<input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input checked="" type="checkbox"/> Informal agreements	Children: Dona Ana County Domestic Violence: Otero and Lincoln County
Treatment/Counseling	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input checked="" type="checkbox"/> Informal agreements	Lincoln and Otero counties
Detention Facilities	<input checked="" type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Adult detention in Texas for sentences in excess of 30 days. Lincoln County Detention Center used for sentences under 30 days.
Correction Facilities	<input type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Juvenile in Las Cruces, NM
<i>Other (Please Describe)</i>	<input type="checkbox"/> Contracts <input type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	

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 checked="" type="checkbox"/> Contracts <input checked="" type="checkbox"/> Other formal agreements <input type="checkbox"/> Informal agreements	Tribes
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 checked="" type="checkbox"/> Treaty: (Please specify and describe)	Right of non-Indians to pass through reservations on highway 70 and 224.
<input checked="" type="checkbox"/> Federal Legislation (P.L. 83-280 or other – please specify and describe)	Tribe retains and asserts jurisdiction over all people within the exterior boundaries of the reservation, except where NM Gaming compact designates for criminal prosecution of non-Indians.
<input type="checkbox"/> Tribal Legislation (Please specify and describe)	

51. Is state jurisdiction limited? yes no

If yes, jurisdiction is limited to:

<input type="checkbox"/> Persons: (Please specify and describe)	
<input checked="" type="checkbox"/> Subject Matter: (Please specify and describe)	Debt Collection, Gaming offenses

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)	Offenses committed on state highways within reservation boundaries
<input checked="" type="checkbox"/> Subject Matter: (Please specify and describe)	Gaming offenses, prosecution of non-Indians

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: