

BEAR RIVER BAND TRIBAL COURT

BAR ASSOCIATION GOVERNANCE REGULATIONS

SECTION 1 AUTHORITY

Pursuant to the Judicial Act Adopted by the Bear River Band of the Rohnerville Rancheria Tribal Council (hereinafter, "Tribal Council") and consistent with the responsibilities assigned by the Tribal Council, the Bear River Band Tribal Court (hereinafter, "Tribal Court") establishes the following regulations for the purpose of governing the practice of representatives before the Tribal Court.

SECTION 2 PURPOSE

In order to meet the responsibilities as set out in the Judicial Act, the Tribal Court finds that it is necessary for the integrity of the judicial system that the practice of representatives before the Tribal Court be regulated. Implementation of the regulation of said representatives is the responsibility of the Chief Judge who is entrusted with the duty to administer the Tribal Court. The purpose of these regulations is to insure that the Bear River Band of the Rohnerville Rancheria Tribal Members (hereinafter, "Members") and all people who appear before the Tribal Court are supported by knowledgeable, supportive person(s) who understand the applicable law and are respectful of the culture, practices and procedures of the Members and the Tribal Court.

SECTION 3 JURISDICTION

The jurisdiction of the Bear River Band of the Rohnerville Rancheria Tribe to enforce these Regulations shall extend to all Bear River Band of the Rohnerville Rancheria tribal territory and the areas within the exterior boundaries of the Rancheria as defined in Section II of the Constitution of the Bear River Band of the Rohnerville Rancheria.

SECTION 4 DEFINITIONS

As used in these Regulations, the following words and phrases shall each have the designated meaning unless a different meaning is expressly provided or the context clearly requires a different meaning:

- 1) *Attorney* means a person who is licensed to practice law in any State or the District of Columbia and is currently in good standing with the Bar Association of that entity.
- 2) *Advocate* means a person who is or seeks to be licensed by the Bear River Band of the Rohnerville Rancheria Tribe to practice before the Bear River Band Tribal Court who has been admitted to another Tribal Bar, and/or seeks to practice without having been admitted to any Bar. May or may not be a graduate of a law school and/or received paralegal training.
- 3) *Bar* means the Bear River Bar Association unless otherwise defined.
- 4) *Bar Exam* means the Bear River Band Bar Examination that will be administered by the Tribal Court.

- 5) *Interested Person* is a person appearing in any matter before the Court with the permission of the Court who is assisting the Tribal Court in resolving a dispute or concern.
- 6) *Spokesperson* means a person who by request of a party or interested person is assisting that person present with their concerns to the Tribal Court. A spokesperson appears by the approval of the Tribal Court only.
- 7) *Tribal Court* means the Bear River Band Tribal Court unless otherwise defined.
- 8) *Tribe* means the Bear River Band of the Rohnerville Rancheria Tribe.

SECTION 5 ADMISSIONS REQUIREMENTS

Applicants for admission to practice before the Tribal Court in any capacity, except for a Spokesperson, must meet the following qualifications:

- 1) Must be 18 years or older.
- 2) Must file an application with the Tribal Court setting forth their qualifications. Any applicant must agree to notify the Chief Judge within thirty (30) days of any occurrence that would bring them in violation of the general terms of qualifications.
- 3) Must take and pass the Bear River Bar Exam. That Bar Exam shall be open book and administered by the Tribal Court from a set of materials that will be available to any and all applicants.
- 4) Must conduct themselves in a fashion that respects the individuals involved in the Tribal Court process and is consistent with the sovereign rights and responsibilities set out in the Preamble of the Bear River Band of the Rohnerville Rancheria Constitution and inherent in Bear River Band cultural practices.

SECTION 6 SPECIAL APPEARANCES AND/OR SPECIAL ADMISSIONS

The following will be admitted to practice without having to otherwise meet the requirements for practice prior to admission:

- 1) All persons hired by the Tribe to act as a Judicial Officer.
- 2) Any attorney hired by the Tribe or a Tribal entity to act as an attorney, advocate, or mediator may be specially admitted for a term of six (6) months. Any attorney licensed to practice in any State or the District of Columbia may specially appear in up to three (3) separate cases per year without being admitted to the Bar.
- 3) Any Advocate admitted to practice in any Tribe may specially appear in up to three (3) separate cases per year without being admitted to the Bar.
- 4) Any Advocate admitted to practice in any Tribe may specially appear in up to three (3) separate cases per year without being admitted to the Bar.

SECTION 7 BAR EXAM PROCESS

- 1) A Bear River Bar Exam Application must be filled out and returned by mail, to address: Bear River Band Tribal Court, Attn. Court Clerk, 266 Keisner Road, Loleta, CA 95551; or by email, to address: tribalcourt@brb-nsn.gov.

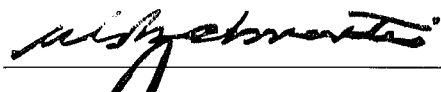
- 2) Once the Bar Exam is mailed or emailed the applicant has ninety (90) days to return the typed questions section of the Bar Exam for grading or the applicant will have to reapply. (Applicant may apply for an extension by contacting the presiding Judge, and providing a statement of need to extend for good cause.)
- 3) The Bar Exam is open book and consists of multiple choice, true and false, and short answer questions. Topics include Bear River Band of the Rohnerville Rancheria Laws and other applicable Federal Indian Law, cultural questions, and Bear River Band History.
- 4) Applicants need to receive a minimum score of seventy percent (70%) in order to be admitted to the Bar.
- 5) The cost for requesting a bound hard copy version of the Bar Exam is \$50.00 the cost for having the Bar Exam mailed is \$10.00. The application fee is non-refundable. This fee is waived for Bear River Band of the Rohnerville Rancheria government employees.

SECTION 8 REGULATION OF PRACTICE, INCLUDING SUSPENSIONS AND EXPULSIONS

- 1) It will be the responsibility of the Chief Judge to create and administer the Bar system. The Chief Judge may delegate administrative tasks to the Tribal Court Director but remains responsible for the creation and administration of the system. That includes determining the administrative requirements of admission; requirements of continued practice; and the rules of suspension and expulsion. The Chief Judge will have final authority on determining the following matters or any other matters reasonably related to the administration of the Bar; the contents of the Bar Exam; the acceptability of any application, including determining whether offered experience for any category is sufficient to meet the standards of the Tribal Court; the grading of the Bar Exam; establishment of practice requirements; and all suspension and/or expulsion matters.
- 2) All members of the Bar are required to maintain a current address with the Bear River Bar Association and notify the Bear River Court Clerk of a new address within thirty (30) days of any change. Failure to do so may place the Bar member in inactive status.
- 3) All members of the Bar are required to pay an annual fee of \$50.00 due by January 1st, of every year, or the Bar member may be placed in inactive status.

CERTIFICATION

The undersigned Judge of the Bear River Band Tribal Court hereby certifies that the foregoing Bar Association Governance Regulations is a true and correct copy of the Bar Association Governance Regulations for the Bear River Band Tribal Court that was duly adopted by the Bear River Tribal Court on March 28, 2021.



 Chief Judge

_____ **APR 20 2021** _____
 Date