

PUEBLO OF SANTA ANA

PUEBLO OF SANTA ANA TRIBAL COUNCIL

RESOLUTION NO. 2023-R-04

SETTING EFFECTIVE DATE FOR CERTAIN SECTIONS OF SANTA ANA TRIBAL CODE (2022 Compilation)

WHEREAS, the Pueblo of Santa Ana is a federally recognized Indian tribe governed under a traditional form of government, and possessing all the inherent sovereign powers of self-government; and

WHEREAS, the Tribal Council of the Pueblo is the duly recognized decision and policy making body for the Pueblo; and

WHEREAS, by Resolution No. 2022-R-39, adopted on December 17, 2022, the Tribal Council formally adopted the 2022 Compilation of the Santa Ana Tribal Code, which embodies all of the laws adopted by the Tribal Council over the past 40 years, as well as some new codes; and

WHEREAS, the Contemporary Court and staff have raised a concern that pending criminal cases could be affected by a sudden change in the titles containing criminal laws or procedures, and have proposed that those titles not take effect until July 1, 2023, to allow time for those cases to be concluded; and

WHEREAS, the Tribal Council agrees that avoiding disruption of pending cases is a legitimate concern, and that accommodating that concern would not adversely affect the overall adoption of the 2022 Compilation;

NOW THEREFORE BE IT RESOLVED by the Tribal Council of the Pueblo of Santa Ana, as follows:

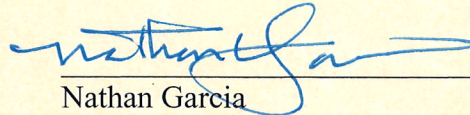
1. Title VI, Articles 2 (Rules of Civil Procedure) and 3 (Rules of Criminal Procedure); Title VIII (Criminal Code); Title IX (Motor Vehicle Code); and Title XIII, Articles 2 (Vulnerable Adult Protection Code) and 3 (Domestic Violence Code), of the recently adopted Santa Ana Tribal Code (2022 Compilation), shall not become effective until July 1, 2023.
2. Matters that were pending in the Contemporary Court arising under any of the codes set forth in item 1, above, or that are filed prior to July 1, 2023, shall proceed under and be governed by the laws and rules as they existed prior to the adoption of the 2022 Compilation, but any actions initiated in the Contemporary Court on or after July 1, 2023 shall be governed by the new rules and codes.

3. The Tribal Court and its staff and the Pueblo's special counsel shall develop and provide any training they feel may be needed for the Pueblo's court staff, police or others, in the provisions of the new 2022 Compilation, and the Pueblo's special counsel shall act expeditiously in distributing the 2022 Compilation to all Pueblo offices and entities requiring it.
4. The Governor of the Pueblo is further authorized to do any and all things necessary to carry out the intent of this resolution.

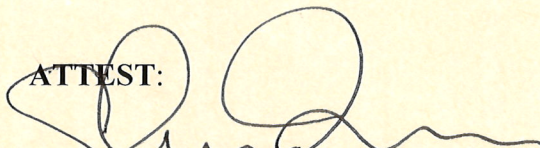
CERTIFICATION

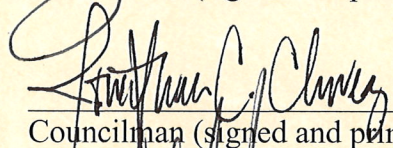
I, the undersigned, as Governor of the Pueblo of Santa Ana, hereby certify that the Pueblo of Santa Ana Tribal Council, at a duly called meeting convened on the 14th day of February, 2023, at the Pueblo of Santa Ana, at which a quorum was present, approved the foregoing Resolution, and that 19 voted for and 0 were opposed.

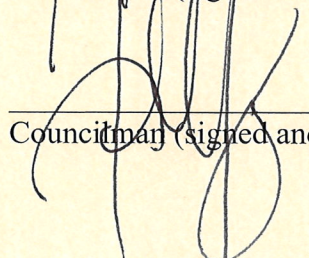
GOVERNOR


Nathan Garcia

ATTEST:

 gleen tenorio
Councilman (signed and printed name)

 JONATHAN C. CHAVEZ
Councilman (signed and printed name)

 Lauran May
Councilman (signed and printed name)