
ORDER ADMIN-24-02

ADMINISTRATIVE ORDER OF THE COURT

ORDER REQUIRING REMOTE EXCLUSION HEARINGS

Whereas the Bear River Band Tribal Court (hereinafter referred to as Court) is authorized to decide the merits of Exclusion cases for non-Indians and non-member Indians; and

Whereas the purpose of the Exclusion Ordinance is to exclude any person from its lands who are found to threaten or directly affect the Tribe's domestic tranquility, political integrity, economic security, health, safety or welfare; and

Whereas, requiring someone to appear in person creates an increased likelihood that an individual who is excluded may threaten or directly affect the Tribe's domestic tranquility, political integrity, economic security, health, safety or welfare due to being on Rancheria lands and upset over the exclusion; and

Whereas, requiring someone to appear in person creates an increased likelihood that an individual who is excluded may violate the court's order rather than leaving the reservation immediately after the hearing; and

Whereas, the Court has remote hearing procedures in place that ensure an individual's rights are protected.

ORDER

IT IS HEREBY ORDERED:

1. All exclusion hearings shall be remote hearings, unless the court orders otherwise in an individual case.
2. Any order setting an in person exclusion case must explain the good cause requiring the in person hearing.
3. No in person exclusion hearing can occur unless a bailiff is present.

Date: November 5, 2024

Michelle Krieger

Michelle Krieger, Chief Judge
Bear River Band Tribal Court
