

BILL NUMBER TR 22-177

TO BE INTRODUCED INTO THE MUSCOGEE (CREEK) NATIONAL COUNCIL

November 16, 2022
(DATE OF INTRODUCTION)

INTRODUCED BY: Office of the Principal Chief

SPONSOR(S): Sandra Golden

COMMITTEE ON: Business, Finance & Justice

1 **CLASSIFICATION: 25-Inter-Government and Inter-Tribal Relations**

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3 **A TRIBAL RESOLUTION OF THE MUSCOGEE (CREEK) NATION AUTHORIZING THE**
4 **PRINCIPAL CHIEF TO EXECUTE AN MEMORANDUM OF UNDERSTANDING WITH**
5 **THE MUSCOGEE (CREEK) NATION AND THE SEMINOLE NATION OF OKLAHOMA**
6 **FOR THE SHARED USE OF COURTROOMS**

7
8 **Be it resolved by the National Council of the Muscogee (Creek) Nation:**

9
10 **WHEREAS**, Article VI, Section 7(b) of the Muscogee (Creek) Nation Constitution
11 empowers the National Council to negotiate with federal, state and local governments;
12 and

13
14 **WHEREAS**, the Muscogee (Creek) Nation District Court (“District Court”) has a
15 duty to protect the due process rights of defendants as well as provide for the safety and
16 security of court personnel, attorneys and litigants; and

17
18 **WHEREAS**, the Muscogee (Creek) Nation and the District Court are desirous of
19 entering into an inter-governmental Memorandum of Understanding with the Seminole
20 Nation of Oklahoma for the shared use of courtrooms in accordance to the Memorandum
21 of Understanding to conduct judicial hearings; and

22
23 **WHEREAS**, the additional courthouse space would enable the District Court to
24 enhance and strengthen the timely and secure administration of justice to the citizens;
25 and

26
27 **WHEREAS**, nothing in the agreement transfers additional rights, jurisdiction,
28 responsibilities, or other obligations to either the Seminole Nation of Oklahoma or the
29 Muscogee (Creek) Nation; and

30
31 **WHEREAS**, nothing in the agreement waives the sovereign immunity of the
32 Muscogee (Creek) Nation; and
33

1 **WHEREAS**, the Memorandum of Understanding is an agreement between the
2 Nation and the Seminole Nation of Oklahoma; therefore, requiring National Council
3 approval.
4

5 **NOW THEREFORE BE IT RESOLVED THAT**, the National Council hereby authorizes
6 the Principal Chief to execute the attached Memorandum of Understanding between the
7 Muscogee (Creek) Nation and the Seminole Nation of Oklahoma for the shared use of
8 courtrooms.
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10 **BE IT FURTHER RESOLVED THAT**, in the event that the Memorandum of
11 Understanding with the Seminole Nation of Oklahoma needs to be further renewed or
12 extended, the National Council hereby authorizes the Principal Chief to execute a
13 renewed or extended Memorandum of Understanding, provided that the terms and
14 conditions remain substantially the same, do not waive the Nation's sovereign immunity,
15 and are first reviewed and approved by the Office of the Attorney General.

DRAFT