

Memo

To: Oneida Business Committee
From: Melinda J. Danforth, Vice-Chairwoman **MJD** (ES)
Date: October 16, 2014
Re: Chief Judges' Request to Adjust Judiciary Transition Timeline – Add On

This memorandum serves as a request for the Oneida Business Committee (OBC) to accept the recommendation from the new Judiciary Chief Judges, Gerald L. Hill and Denise Beans, to adjust the Judiciary transition implementation timeline.

Background

On Thursday, October 16, 2014, the Tribal Secretary was briefed by the Chief Judges on the situational analysis they completed this week. Through this briefing, the Chief Judges are bringing to our attention the need to make adjustments to the transition resolution which provides the guidance for implementing the new Judiciary.

The attached correspondence from the Chief Judge(s) indicates the delay in the election of the Judges has created a ripple effect. In order to ensure a successful transition into the new system for both the incoming Judges and the community, the recommended case acceptance date is January 5, 2015.

Upon review of the remainder of the transition resolution, there are no other anticipated adjustments at this time.

Requested Action

1. Accept the Chief Judges requested action to adjust the Judiciary transition timeline to January 5, 2015,
2. Direct the Judiciary transition team to provide a close out report to General Tribal Council during the January 5, 2015 Annual meeting, including an introduction of all the new Judges at the January 5, 2015 Annual General Tribal Council Meeting, and
3. Direct the Judiciary Communication Sub-Team to work with the new Chief Judges to communicate the timeline adjustment to tribal members

cc: Judiciary Transition Team

ONEIDA TRIBAL JUDICIARY
Oneida Judicial Center
P. O. Box 19
3719 W. Mason Street
Oneida, WI 54155

October 17, 2014

Melinda Danforth
Vice Chairwoman
Oneida Business Committee
PO Box 365
Oneida, WI 54155

RE: Oneida Tribal Judiciary: Adjusted Date of Implementation: OBC Resolution 01-07-13-B

Dear Vice Chairwoman Danforth:

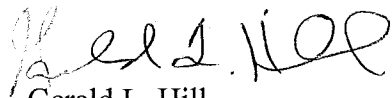
We are writing to inform you that we have determined it is in the best interest of the Oneida Tribe and the Oneida Tribal Court to adjust the date of implementation of the new Judiciary to January 5, 2015 rather than November 1, 2014, as indicated in the OBC Resolution cited above. The adjusted date will not affect the intent of the Resolution but will allow the accommodation of unforeseen delays resulting from two delays in the election of the new judges. This in turn resulted in the need to readdress the proposed training schedule to insure that all personnel as well as the Tribal membership will be informed as to when cases may be filed. Effectively, new cases may be filed on November 1, 2014 under the new system, with the understanding that scheduling of these cases will not be heard until January 5, 2015, or under the old system to be heard by sitting Oneida Judicial Officers under the old rules. The clerks will be informed to provide this information to any inquiries. This will insure that no parties or transition schedules will be delayed by the recommended adjusted date of January 5, 2015.

The delays are not the fault of the Business Committee or the Court and, accordingly the determination to readjust the date of implementation is to accomplish the necessary training and preparations for the new Judges, the Judicial Officers, the staff and facilities, including preparation of the facilities, now expected by the end of November, as well as the physical logistics; e.g. records, hardware, furniture and personnel working arrangements.

Since the delays have occurred and based on our assessment of the situation over the last week, after multiple meetings with Oneida Judicial Officers, Judges, attorneys and personnel it is apparent that the Transition Plan will be a smoother and cleaner by readjusting the Judiciary implementation to January 5, 2015 as set forth above.

We have consulted with and advised existing Court staff as well as advising the new judges-elect as to recommendation to reschedule the start date to January 5, 2015. The remainder of the Resolution is intact, and the date of full implementation of the Oneida Judiciary will not be affected.

Sincerely,



Gerald L. Hill
Chief Appellate Judge



Denice Beans
Chief Trial Judge