

VIEJAS

TRIBAL GOVERNMENT

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John A. Christman, Chairman
Victor E. Woods, Vice Chairman
Rene Curo, Tribal Secretary
Samuel Q. Brown, Tribal Treasurer
Adrian M. Brown, Councilman
Gabriel T. TeSam, Jr., Councilman
Kevin M. Carrizosa, Councilman

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VIEJAS TRIBAL COUNCIL RESOLUTION ADOPTING ORDINANCE CONFIRMING PROHIBITION AGAINST COMPULSORY ENFORCEMENT OF JUDGMENT AGAINST TRIBAL PER CAPITA DISTRIBUTIONS

Resolution No. DL01622B

WHEREAS, the Viejas Band of Kumeyaay Indians, (appearing in the U.S. Federal Register as the *Capitan Grande Band of Diegueno Mission Indians of California: Viejas (Baron Long) Group of Capitan Grande Band of Mission Indians of the Viejas Reservation, California*) (the "Viejas Band") is a self-governing federally recognized Indian Tribe exercising sovereign authority over the lands of the Viejas Indian Reservation;

WHEREAS, the Viejas Tribal Council is the duly-elected governing body of the Viejas Band;

WHEREAS, the Viejas Band's tribal sovereignty is fundamental to the Viejas Band; and

WHEREAS, the Viejas Tribal Council recognizes the critical importance of Tribal Gaming Revenue Allocation Plan per capita distributions to the general welfare of tribal membership.


NOW, THEREFORE BE IT RESOLVED THAT THE TRIBAL COUNCIL HEREBY CERTIFIES AND DULY APPROVES AND AUTHORIZES, AFTER MOTION AND UPON THE VOTE OF THE MAJORITY OF COUNCIL MEMBERS, THE FOLLOWING:

The Viejas Tribal Council hereby adopts the Viejas Tribal Council Resolution Adopting Ordinance Confirming Prohibition Against Compulsory Enforcement of Judgment Against Tribal Per Capita Distributions, attached as Exhibit A.

The Chairperson of the Viejas Band, or in the Chairperson's absence, the Vice Chairperson is hereby authorized to take any required action and to execute on behalf of the Viejas Band, any and all documents required to further the purposes of this resolution.

CERTIFICATION

Resolution passed this 16TH day of JUNE, 2022, at a duly noticed meeting of the Viejas Tribal Council by a vote of 4 for 0 against, and 0 abstaining.




John A. Christman, Chairman

absent

Victor E. Woods, Vice Chairman

Rene Curo

Rene Curo, Tribal Secretary



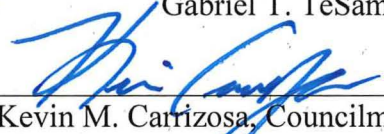
Samuel Q. Brown, Tribal Treasurer

absent

Adrian M. Brown, Councilman



Gabriel T. TeSam, Jr., Councilman



Kevin M. Carrizosa, Councilman

EXHIBIT A

VIEJAS BAND OF KUMEYAAY INDIANS TRIBAL CODE

ORDINANCE CONFIRMING PROHIBITION AGAINST COMPULSORY ENFORCEMENT OF JUDGMENT AGAINST TRIBAL PER CAPITA DISTRIBUTIONS

Enacted on June 16, 2022

- 1.01 Purpose.** The purpose of this ordinance is to confirm and clarify existing laws prohibiting compulsory enforcement of judgments against tribal per capita distributions disburseable by the Viejas Band.
- 1.02 Sovereign Immunity.** The Viejas Band is a federally recognized Indian tribe that retains and has not waived its sovereign immunity from unconsented lawsuit or legal process.
- 1.03 No Compulsory Enforcement of Judgment Against Per Capita Distributions Issued by the Viejas Band.** In accordance with Viejas Band customs, traditions, and laws, the Viejas Band has not consented to the jurisdiction of any court (tribal, federal, or state) authorizing such court to order or otherwise compel the Viejas Band, whether by execution, levy, attachment, garnishment, or other legal process, to direct per capita distributions disburseable under the Viejas Tribal Gaming Revenue Allocation Plan to any judgment creditor. Any order, writ, or other judgment enforcement instrument violating this ordinance is null and void.
- 1.04 Exception for Child Support Orders.** This ordinance shall not apply to orders for child support, which are processed through separate policy.
- 1.05 Enforcement Directly Against Judgment Debtor.** This ordinance does not apply to any judgment enforcement directed solely to a judgment debtor, where such judgment enforcement is not directed to the Viejas Band.