

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.