

1                                   **WAGANAKISING ODAWAK STATUTE 2024-XXX**  
2                                   **AMENDMENT TO WAGANAKISING ODAWAK STATUTE 2022-003**  
3                                   **ENJINAAKNEGENG**

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6 **SECTION I.     REPEAL:**

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8                   **SECTION IV.         LEGAL DEPARTMENT DUTIES**

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10           **G.**     Citizens Legal Assistance Attorney shall provide advice and assistance to  
11     Tribal Citizens on legal issues, provide legal guidance and draft documents, but  
12     cannot appear in Court on behalf of Tribal Citizens. The Citizens Legal  
13     Assistance Attorney shall maintain the attorney-client privilege relationship with  
14     respect to all communications between it and any Citizen it services and may  
15     assist with the following:

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17                   **1.**     Estate Planning, including drafting of Wills, Power of Attorneys,  
18     Medical Power of Attorneys and Trusts;  
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20                   **2.**     Real Estate, including assisting with the purchase, sale, or transfer  
21     of real estate, including foreclosures or forfeitures;  
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23                   **3.**     Landlord/Tenant, assisting with evictions or any other issues with  
24     a landlord or tenant;  
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26                   **4.**     Divorce/Custody/Support, that may encompass child custody,  
27     visitation, or child support;  
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29                   **5.**     Probate of Estates, assisting with probating a Will in state or tribal  
30     court;  
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32                   **6.**     Criminal Matters shall be limited to explaining the legal process;

1           7.       Civil Matters shall be limited to giving legal advice if the Tribal  
2           Citizen is involved in a civil lawsuit, including accusations of abuse or  
3           neglect of a child against a parent;

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5           8.       Paternity, DNA testing, Birth Certificates, includes establishing  
6           paternity, DNA testing, and making changes to birth certificates;

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8           9.       Guardianships and Conservatorships for minors or persons who are  
9           unable to care for themselves;

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11          10.      Driver's Licenses including license restored through the Secretary  
12          of State; and,

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14          11.      General legal advice can be given for any type of legal issue that a  
15          Tribal Citizen may have, except for issues that involve the Tribe.

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17          **H.**      The Citizens Legal Assistance Attorney may only provide procedural  
18          advice on matters that are criminal in nature, and matters involving the Tribe,  
19          Tribal Officials, Tribal Employees or other Tribal Citizens as a potential party in a  
20          dispute.

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23          **SECTION VIII.       OTHER RELATED STATUTES**

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25                See Waganakising Odawak Statute 2006-22, Office of Legislative  
26                Services Attorney; Waganakising Odawak Statute 2012-007, Office of Executive  
27                Services Attorney; 2012-006, Office of Tribal Citizens Legal Assistance.

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30          **SECTION II.       REPLACE:**

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32          **SECTION IV.       LEGAL DEPARTMENT DUTIES**

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34          **G.**      The Citizens Legal Assistance Attorney will provide LTBB Tribal  
35          Citizens free and confidential limited-scope legal services in a broad range of civil  
36          matters. The Citizens Legal Assistance Attorney will not provide in-court

1 representation, assistance in criminal matters, or assistance in matters that may  
2 involve the Tribe, its employees, or another Tribal Citizen as a potential opposing  
3 party.

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5 Legal Services may also be limited based on several factors, including: conflict of  
6 interest; jurisdiction; practice area expertise; time required; ethical obligations;  
7 client capacity to make informed decisions. These limitations help ensure that  
8 competent, ethical, and effective legal services are provided while adhering to  
9 professional responsibilities and obligations.

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12 **SECTION III. EFFECTIVE DATE**

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14 Effective upon signature of the Executive or 30 days from Tribal Council  
15 approval whichever comes first or if the Executive vetoes the Statute, then upon Tribal  
16 Council override of the veto.

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**CERTIFICATION**