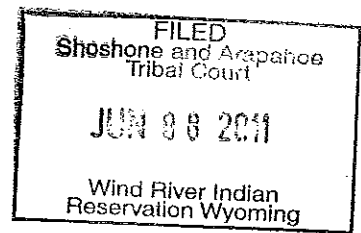


SHOSHONE AND ARAPAHO TRIBAL COURT
 Shoshone and Arapaho Tribes
 Wind River Indian Reservation
 Fort Washakie, Wyoming



IN THE MATTER OF THE ADOPTION)
 OF A RULE REGARDING NOTICE)
 TO EACH TRIBE OF JURISDICTIONAL) ORDER ADOPTING RULE AD-104
 CHALLENGES)
 _____)

To Whom It May Concern:

The Shoshone and Arapaho Tribal Court hereby FINDS that, pursuant to duly adopted Resolution of the Northern Arapaho Tribe, and the inherent authority of this Court to ensure the orderly administration of justice, a Rule of Court setting forth a process for notification to Tribal government of cases filed in this Court which raise challenges to Tribal jurisdiction, sovereignty or the validity of Tribal law is necessary;

IT IS THEREFORE ORDERED that the following Rule of Court is hereby adopted, effective the date of this Order.

I. NOTICE REQUIRED

A. Duty of Parties

A party raising a challenge to tribal sovereignty, jurisdiction or the validity of any tribal law shall give written notice thereof to the Business Council of each Tribe and to the Tribal Attorney for each Tribe. Such notice shall identify the proceeding in which the challenge or issue is raised and shall include a brief written explanation of the grounds upon which tribal sovereignty or jurisdiction or the validity of tribal law is being questioned. A copy of the pleading(s) raising the issue shall be included with the notice.

B. Timing of Notice and Proof of Service

Service of the notice shall be made simultaneously with the filing of the pleading giving rise to the notice requirement. A copy of the notice shall be filed in the case file. Service of the notice shall be by a method of delivery which requires the recipient's signature upon delivery. Proof of service shall be filed with the Shoshone and Arapaho Tribal Court within 10 (ten) days after service has been accomplished.

C. Late Notice

1. If a party discovers that notice under this Rule should have been but has not been given, the party with the duty of providing notice will promptly notify the Court of the omission and shall give notice as required by this Rule.
2. If the Tribal Court determines that notice should have but has not given, it may order the appropriate party to provide the notice, and may make other orders as are reasonable and necessary to remedy the omission.

D. Stay of Proceedings

The Tribal Court may stay any proceeding at any stage to allow compliance with the notice requirement and may make such orders as are reasonable and necessary to allow opportunity for either or both Tribes to proceed as provided by this Rule.

E. Proceedings after Final Judgment

Failure of a party to give notice as required herein may be considered by the Court in evaluating motions for a new trial or for relief from a judgment or order.

F. Civil Sanctions

The Tribal Court may impose sanctions as permitted by law on any party for wilful failure to give notice as required hereunder. In addition, the Court may use other reasonable means to cure any significant harm to compelling Tribal interests caused by failure to give notice as required.

II. TRIBAL PARTICIPATION FOLLOWING NOTICE

A. Access to Court File

Each Tribe is allowed access to the Court file after receipt of the required notice, and may copy any part of the file. Upon a Tribe's timely written request, the Tribal Court may require any party to serve copies of subsequent case filings upon a designated Tribal representative.

B. Amicus Curiae

Upon timely motion, either or both Tribes may appear as *amicus curiae* in any proceeding raising a challenge to tribal sovereignty, jurisdiction or the validity of any tribal law.

C. Timeliness

Unless the Tribal Court orders otherwise, where timely and proper notice has been given under this Rule, any motion by either Tribe to appear as *amicus curiae* must be filed within twenty (20) days of receipt by the Tribe of such notice.

III. FAILURE TO GIVE NOTICE

A. No Waiver of Rights

The failure of a party to give notice as required by this Rule is not a waiver or modification of any rights otherwise timely asserted by the party, but may subject the party to sanctions as provided herein.

B. Notice does not Substitute for Pleadings

Any notice given under this Rule is not a substitute for, or a waiver or a modification of, any other pleading requirements.

IT IS FURTHER ORDERED that the Court Administrator shall make this order and rule available for public inspection and copying.

DATED this 8th day of June, 2011.



John St. Clair, Chief Judge