

§1-1-11 Original Jurisdiction

The Nez Perce Tribal Court shall have original jurisdiction over all:

- (a) crimes committed by any ~~Indian within the~~ person to the extent permitted by federal law within the Nez Perce Reservation;
- (b) violations of the Nez Perce Tribe Fish and Game laws committed by a member of the Nez Perce Tribe outside the Nez Perce Reservation at any usual and accustomed fishing place or upon open and unclaimed lands; and
- (c) any and all violations of the Nez Perce Tribal Code committed by a member of the Nez Perce Tribe outside the Nez Perce Reservation at any in-lieu site or any treaty fishing access site (TFAS); and (added by NPTEC 5/25/10)
- (d) civil actions at law or in equity, involving any person or entity and arising under the Constitution, By-laws, laws and regulations of the Nez Perce Tribe, or to which an Indian or Indian owned property is a party.

§1-1-12 Personal Jurisdiction

- (a) The Nez Perce Tribe shall have civil jurisdiction over:
 - (1) any person residing or present within the reservation or land protected by treaty with the United States government;
 - (2) any person who transacts, conducts, or performs any business or activity within the reservation by being present on the reservation or by mail, phone, broadcast, cable either in person or by an agent or representative;
 - (3) any person who owns, uses or possesses any real or personal property situated within the reservation, for any civil cause of action arising from such ownership, use or possession;
 - (4) any person who commits a tortious act or engages in tortious conduct within the reservation;
 - (5) persons under the age of eighteen (18) years who are eligible for membership in any federally-recognized tribe; (amended by NPTEC 4/28/15)
 - (6) persons under the age of eighteen (18) years who commit a delinquent act to the extent permitted by federal law;
 - (7) children and their parent(s), guardian, legal custodians or other persons with responsibility for or control of the child who leave the exterior boundaries of the reservation and over whom the Court had jurisdiction at the time they left;
 - (8) any real or personal property located on the reservation, the determination of ownership thereof or rights therein or to

determine the application of such property to the satisfaction of a claim for which the owner of the property may be liable; and

- (9) all causes of action, which involve either the tribe, its officers, agents, employees, property or enterprises, a member of the tribe, a member of a federally recognized tribe, or any other matter which effects the interest or rights of the tribe.

(b) The Nez Perce Tribe shall have criminal jurisdiction over:

- (1) all crimes committed by any ~~Indian~~ person to the extent permitted by federal law. within the boundaries of the Nez Perce Reservation; and
- (2) all violations of the Nez Perce Fish and Wildlife Code committed by a member of the Nez Perce Tribe outside the Nez Perce Reservation at any usual and accustomed fishing place or upon open and unclaimed lands.