

# NOTICE

## AMENDMENTS TO THE NEZ PERCE TRIBAL CODE

This notice is being posted October 23, 2024, according to the Nez Perce Tribe Revised Code § 1-4-2 to request written comments for the following proposed permanent amendments:

These amendments have already been adopted on an emergency basis.

Proposed permanent additions to the Nez Perce Tribal Code, — specifically:

### **Title 2 Rules of Criminal Procedure, Chapter 2.10 Criminal Procedures**

#### **STATEMENT OF PURPOSE:**

The Nez Perce Tribe revised Code (NPTrC) on arraignment has proven to be burdensome and has caused debate on timing of an arraignment. Therefore, to protect the rights of criminal defendants in tribal court, there is a need for an emergency code amendment.

The code is not clear regarding the time an arraignment is to be conducted. It currently conflicts wherein one section states “business hours” and another states “business days.” This creates confusion causing it to be debatable regarding business hours and when the arraignment should be held.

To address this limitation, on October 22, 2024, **NPTEC adopted an emergency Amendment to the Nez Perce Tribe Revised Code** (“NPTrC”), Title 2 Rules of Criminal Procedure, Chapter 2.10 Criminal Procedures, specifically:

Section 2.10.030 Arraignment [Rule 10]

Section 2.10.036 Bail or Release in Cases Involving Domestic Violence [Rules 21(d) + 10a];

amending the code to read “business days” to ensure the rights of defendants are not violated.

Now, NPTEC is providing notice that the emergency amendments may be adopted on a permanent basis.

If you want to review the full version online, go to the Tribal Code webpage at <https://nezperce.org/resources/tribal-code/>. Also, hard copies will be available at the NPTEC front office.

**WRITTEN COMMENT PERIOD:**

The Law and Order & Intergovernmental Affairs Subcommittee will be accepting written comments on the proposed amendments and reorganization being applied to the Code. Please submit written comments by mail, e-mail, fax or hand delivery to:

Ashton Picard, Chairman, Law & Order Subcommittee  
P. O. Box 305, Lapwai, Idaho 83540

**E-mail** to [TribalCode@nezperce.org](mailto:TribalCode@nezperce.org) • **Fax** to (208) 843-7354

**Hand Deliver** to the NPTEC offices in Lapwai.

The **DEADLINE** for receipt and consideration of such comments is **Thursday, November 14, 2024** at 4:30 p.m.

