

TRIBAL CODE  
CHAPTER 30  
DOMESTIC RELATIONS ORDINANCE

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HISTORY NOTE:

Adopted December 20, 1948, effective immediately.

Amendments

Resolution No. 408(86), November 17, 1986, adding Section 30.104.

Resolution No. 195(97), June 9, 1997, amends Section 30.104 expanded to include nonmember Indians. The filing fee for an action initiated under Chapter 30 by a nonmember shall be \$100.00.

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DOMESTIC RELATIONS ORDINANCE

30.101 Recognition of Previous Marriages.

All Indian marriages heretofore consummated whether according to state law or tribal custom are declared valid subject to annulment.

30.102 Recognition of Department Regulations for Heirship Purposes.

For the purpose of determining heirship the rules and regulations heretofore adopted by the Secretary of the Interior shall remain in effect on all questions that may arise prior to the approval of this ordinance.

30.103 Marriage and Divorce.

Indian custom marriage and divorce shall not be recognized hereafter. All legal marriages and divorces after the approval of the ordinance must be in accord with the laws of the State of Wisconsin or laws of other states where the marriage is consummated or the divorce obtained.

30.104 Tribal Court Jurisdiction.

(1) The tribal court judges are hereby authorized to perform marriages in accordance with the laws of the State of Wisconsin. The tribal court shall have jurisdiction over divorces, annulments, and separations between tribal members or nonmember Indians, or between a member or nonmember Indian residing on the reservation and a nonmember Indian or nonmember, under the law and procedure set forth in Wis. Stat. Ch. 767.

(2) This amendment does not create any new powers or jurisdiction in the tribal court. Rather, it merely clarifies the power and jurisdiction which the tribal court already possessed under Section 30.103 of the ordinance. The Tribal Council recognizes the validity of all marriages and divorces granted by the tribal court prior to the date of adoption hereof.