

# Tribal Constitutions, Bylaws and Ordinances Developing and Rewriting your Documents

February 27-28, 2012 - Las Vegas, NV

CLASS ID: GV005LASVE

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### HOW TO REGISTER

**Phone:** Call 1-800-992-4489, Monday-Friday, 9:00 a.m.-5:30 p.m. EST.

**Fax:** Complete the registration form and fax to 703-352-2323 anytime. Payment must be received at our office prior to the start of the session.

**Mail:** Return registration form and payment to:  
Falmouth Institute  
3702 Pender Dr., Suite 300  
Fairfax, VA 22030.

**Online:** At [www.falmouthinstitute.com](http://www.falmouthinstitute.com)

**E-mail:** [info@falmouthinstitute.com](mailto:info@falmouthinstitute.com)

For complete registration policies, please visit [www.falmouthinstitute.com](http://www.falmouthinstitute.com) or call 1-800-992-4489.

*Advanced payment by credit card or check is required. Purchase orders do not constitute payment. Registrations must be received 10 business days before the class start date. After this date, registrations will be taken on a space-available basis and a \$25 late registration fee will be charged.*

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FALMOUTH INSTITUTE  
3702 Pender Dr., Suite 300  
Fairfax, VA 22030



Amend your tribal constitution to meet the needs of your constantly changing tribe.

# Tribal Constitutions, Bylaws and Ordinances Developing and Rewriting Your Documents

February 27-28, 2012 • Las Vegas, NV

### Attend this class and learn how to:

- › Develop ordinances within the bounds of your constitution
- › Rewrite an ordinance to meet your tribe's current needs
- › Revise or amend your constitution in accordance with applicable laws
- › Address and define membership issues in your constitution
- › Determine how your constitution is impacted by growth and change
- › Expand your spheres of jurisdiction through ordinances
- › Protect natural and cultural resources

This hands-on class includes sample constitutions and case studies.

To register, visit  
[www.falmouthinstitute.com](http://www.falmouthinstitute.com)  
or call 1-800-992-4489.



FALMOUTH INSTITUTE



# Tribal Constitutions, Bylaws and Ordinances

## Developing and Rewriting Your Documents

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*This class is perfect for tribal chairs, tribal council members, legal council members, tribal administrators, enrollment managers and BIA staff.*

Your tribal constitution is the guide to governing your organization. It's the cornerstone of a stable tribal government and skillfully balances the rights of the people against those of the government. It should project a positive image of the tribe as an entity that deserves respect and high standing in Indian society and the community at large.

During this class, you'll discover how your constitution impacts the way you govern; tools to help you use your constitution to manage your tribal organization; how to work within the bounds of your constitution as you

develop ordinances; and how to amend your tribal constitution to meet the needs of your growing and changing tribe. If you haven't developed a constitution, you'll learn the functions and purposes of a constitution, key elements of the writing process and what components to include.

If you're an elected tribal official, part of the tribal administrative staff or a BIA employee with responsibilities related to tribal governments, this class provides the insight and skills to meet the governing challenges that tribes face today.

### TOPICS INCLUDE

#### Tribal Cultures and Constitutions

- › Balancing tradition with current demands
- › Incorporating cultural values
- › Maintaining your history

#### Federal Control of Tribal Constitutions

- › Indian Reorganization Act (IRA)
- › Amendments to the IRA
- › Indian Civil Rights Act (ICRA)
- › Case law

- Tribal members' expectations
- Unrealistic goals

#### Writing the Constitution

- › Drafting the constitution
- › What to include in the outline
- › Legal writing using plain language

#### Features and Considerations

- › Preamble
- › Territory and jurisdiction
- › Adoption and certification
- › Membership and rights of members
- › Enrollment and elections process:
  - Blood quantum
  - Certificate of results of election
- › Sovereign immunity
- › Tribal governmental power:
  - Roles of officers
  - Removal from office and forfeiture
  - Filling of vacancies
- › Council meetings
- › Popular participation in tribal government

#### Beyond Constitutions

- › Using ordinances, bylaws and charters
- › Authority, purpose and scope

#### Resolving Conflicts and Challenges

- › Strengthening tribal sovereignty
- › Transitions of power

- › Enforcing the constitution
- › Informing tribal members
- › Case studies

#### Checks and Balances

- › Separation of powers:
  - Tribal general council
  - Executive, legislative and judicial authority
- › Role of elders, clans and societies
- › Role of men and women

#### Revising and Amending the Constitution

- › Determining needs and outcomes:
  - Public input
  - Impact on existing constitution
  - Intended and unintended consequences
- › The process
- › Adoption procedures
- › Harmony within the constitution

#### Ratification Process

- › Organizing and staffing for adoption success
- › Analyzing your community
- › The constitution survey
- › Political support for change
- › Education and community meetings
- › What can go wrong?

*Topics subject to change.*

**Discover key steps involved in writing and revising a tribal constitution and learn how to use it as a governing tool.**

#### Constitution Functions and Purposes

- › Traditional forms of organization:
  - Separation of powers
  - Tribal government models
- › Promoting good government
- › Removal of federal intervention provisions
- › Interpreting constitutional language:
  - Constitutions as seen by courts
  - Avoiding conflict
- › Stability of tribal governments
- › Why constitutions fail:

### ON-SITE TRAINING AND TECHNICAL ASSISTANCE

Falmouth can provide on-site training and technical assistance to help with all of your tribal Governance needs. By providing customized answers to the issues and challenges of your organization, we'll be able to create solutions to strengthen your community and expand your opportunities.

Looking to provide this information to your entire team? Bring this session or any combination of our other Tribal Governance sessions right to your tribal headquarters. Spend less time on the road, cut back on travel costs and give the leaders of your

community the knowledge they need to succeed.

Our team is also able to provide technical assistance and hands-on support to help guide you through the complex governing challenges you face. Do you have questions about your tribal constitution or bylaws? Do your enrollment records need to be audited? Does your board need a strategic planning retreat? Are you looking to strengthen your workforce? Falmouth has the experience and ability to help your leadership.

*Visit [www.falmouthinstitute.com](http://www.falmouthinstitute.com) or call 1-800-992-4489 x119 for more information on our customized on-site training and technical assistance solutions.*

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