

**IN THE TRIBAL COURT
FOR THE
ASSINIBOINE AND SIOUX TRIBES**

ADMINISTRATIVE ORDER 2018-10.2

ORDER CONCERNING CRIMINAL COMPLAINT FORMAT

WHEREAS, the Court has a responsibility to accurately track criminal cases; and

WHEREAS, the Court recognizes the need for a uniform criminal complaint format; and

WHEREAS, the Court recognizes the need to reduce paper usage.

THEREFORE, it is the Order of the Court that multiple criminal charges stemming from a single event/transaction are to be filed in a single, multiple-count complaint. (see attached example)

This policy shall remain in effect until further notice or until superseded by future policy.

DATED THIS 8TH DAY OF OCTOBER 2018.



Stacie Smith
Chief Judge

Fort Peck Tribe Prosecutors Office
 (PROSECUTOR NAME), Tribal Prosecutor
 212 H St. E
 Poplar, Montana 59255
 Telephone: 406-768-2383
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FORT PECK ASSINIBOINE & SIOUX TRIBES TRIBAL COURT

<p>FORT PECK TRIBES,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">-vs-</p> <p>DEFENDANT, DOB:00/00/00 Defendant.</p>	<p style="text-align: right;">Cause No. _____</p> <p style="text-align: center;">CRIMINAL COMPLAINT</p>
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(Name of Prosecutor), Tribal Prosecutor, being duly sworn upon Oath, deposes and says that on (Month) (Day), (Year), at or near (Address), (City), Montana, the above named Defendant, an adult Indian person committed the following offense(s) within the exterior boundaries of the Fort Peck Indian Reservation:

COUNT 1: NAME OF CRIME, a Misdemeanor/Felony, in Violation of Title X, Sec XXX, CCOJ.

DESCRIPTION OF THE CRIME ALLEGED.

A person convicted of the offense of (NAME OF OFFENSE, may be subject to a Misdemeanor/Felony and a maximum penalty of 3 months/one-year imprisonment, a fine of \$500.00/\$5000.00, or both, may be imposed.

Sec. 244. Partner or family member assault.

A person commits the offense of partner or family member assault if the person: (1) intentionally causes bodily injury to a partner or family member; (2) negligently causes bodily injury to a partner or family member with a weapon; or (3) intentionally causes reasonable apprehension of bodily injury in a partner or family member. (b) For the purpose of this section, the following definitions apply: (1) Family member means mothers, fathers, children, brothers, sisters, and other past or present family members of a household. These relationships include relationships created by adoption and remarriage, including stepchildren, stepparents, in-laws, and adoptive children and parents. These relationships continue regardless of the ages of the parties and whether the parties reside in the same household. (2) Partners means spouses, former spouses, persons who have a child in common, and persons who have been or are currently in a dating or ongoing intimate relationship. (c) Partner and family member assault is a Class A misdemeanor for the first offense and a felony for the second and subsequent offenses. (d) Those arrested and charged under this section shall not be released from custody except at arraignment as described in 6 CCOJ 402.

**COUNT 2: NAME OF CRIME, a Misdemeanor/Felony, in Violation of Title X, Sec
 XXX, CCOJ.**

DESCRIPTION OF THE CRIME ALLEGED.

A person convicted of the offense of (NAME OF OFFENSE, may be subject to a Misdemeanor/Felony and a maximum penalty of 3 months/one-year imprisonment, a fine of \$500.00/\$5000.00, or both, may be imposed.

Sec. 240-B. Endangering welfare of children.

(a) A parent, guardian, or other person supervising the welfare of a child less than 18 years old commits the offense of endangering the welfare of children if the parent, guardian, or other person intentionally endangers the child's welfare by violating a duty of care, protection or support.

A list of possible witnesses for the Tribes now known to the Prosecution is as follows:

1. FPT Officer Do Good.
2. Jane Doe, Victim.

Tribal Prosecutor

SUBSCRIBED AND SWORN TO before me this ___ day of (Month), (Year).

JUDGE OF THE FORT PECK TRIBAL COURT