

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

WINNEBAGO TRIBE OF NEBRASKA

TRIBAL CODE

| <u>TITLE</u> | <u>DESCRIPTION</u> |
|--------------|--|
| 1 | COURT RULES |
| 2 | CIVIL PROCEDURE |
| 3 | CRIMINAL CODE |
| 4 | JUVENILE PROCEDURE |
| 5 | TRIBAL GOVERNMENT |
| 6 | CIVIL TRAFFIC CODE |
| 7 | HEALTH, SAFETY, AND WELFARE |
| 8 | NATURAL RESOURCES |
| 9 | GAMING |
| 10 | GENERAL REVENUE AND TAX CODE |
| 11 | BUSINESS CORPORATION CODE |
| 11A | BUSINESS REGULATION AND ECONOMIC DEVELOPMENT |
| 11B | LIMITED LIABILITY COMPANY CODE |
| 12 | FAMILY RELATIONS |
| 13 | TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO) [REPEALED] |
| 14 | PROBATE |
| 15 | UTILITIES |
| 16 | CIVIL TRESPASS |
| 17 | INTERESTS IN REAL PROPERTY |
| 18 | GUARDIANSHIP AND CONSERVATORSHIP |
| 19 | TRIBAL EDUCATION CODE |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1
COURT RULES
(As redesignated July 1, 1989)

ARTICLE 1
PRELIMINARY PROVISIONS

| | | | |
|-------|--|-------|---|
| 1-100 | Authorization. | 1-108 | Juvenile jurisdiction. |
| 1-101 | Definitions. | 1-109 | Law to be applied. |
| 1-102 | Territorial jurisdiction. | 1-110 | Exclusive jurisdiction. |
| 1-103 | Criminal jurisdiction. | 1-111 | Constitutional authority. |
| 1-104 | Personal jurisdiction. | 1-112 | Name of Code. |
| 1-105 | Jurisdiction over property. | 1-113 | Prior inconsistent ordinances repealed. |
| 1-106 | General subject matter jurisdiction- limitations. | 1-114 | Amendment of Code. |
| 1-107 | Civil jurisdiction. | | |

TITLE 1
ARTICLE 2
ESTABLISHMENT OF COURTS
Judges and other Court Personnel

| | | | |
|---------|---|-------|---|
| 1-201 | Trial Court established. | 1-226 | Notice of orders or judgments. |
| 1-202 | Court of appeals. Appeal of right. | 1-227 | Books and records kept by the clerk and entries therein. |
| 1-203 | Tribal Court judges. | 1-228 | Stenographic report or transcript as evidence. |
| 1-204 | Minimum qualifications of Judge of the Tribal Court. | 1-229 | Judgment docket. |
| 1-204.1 | Change in qualifications. | 1-230 | Execution docket. |
| 1-205 | Manner of selection of Tribal Judges. | 1-231 | Clerk may collect judgment and costs. |
| 1-206 | Term of office. | 1-232 | Clerk to issue writs and orders. |
| 1-207 | Compensation of judges. | 1-233 | Clerk to file and preserve papers. |
| 1-208 | Oath of office. | 1-234 | Each case to be kept separate. |
| 1-209 | Duties and powers of judges. | 1-235 | Endorsements. |
| 1-210 | Disqualifications of judges. | 1-236 | Entry on return of summons. |
| 1-211 | Removal of judges. | 1-237 | Material for record. |
| 1-212 | Decisions. | 1-238 | Memorializing record. |
| 1-213 | Records. | 1-239 | Clerk to keep Court records, books, and papers, statistical and other information. |
| 1-214 | Files. | 1-240 | Applicable to all Courts within Tribe's jurisdiction. |
| 1-215 | Motion day. | 1-241 | Bonds. |
| 1-216 | Court clerk establishment. | 1-242 | Probation and parole officers. |
| 1-217 | Clerk as department director. | 1-243 | Creation of prosecutor's office. |
| 1-218 | Powers and duties. | 1-244 | Functions of the prosecutor(s). |
| 1-219 | Oath of clerks. | 1-245 | Creation of defender's office. |
| 1-220 | Seal. | 1-246 | Functions of the defender(s). |
| 1-221 | Certification of true copies. | | |
| 1-222 | Clerk to serve Tribal and all other Courts. | | |
| 1-223 | Courts always open. | | |
| 1-224 | Trials and hearing—orders in chambers. | | |
| 1-225 | Clerk's office and orders of the clerk. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1
ARTICLE 3
WINNEBAGO SUPREME COURT
RULES OF APPELLATE PROCEDURE
APPLICABILITY OF RULES

| | | | |
|---------|--|---------|--|
| Rule 1 | Scope of rules. | Rule 24 | Proceedings in forma pauperis. |
| Rule 2 | Suspension of rules. | Rule 25 | Filing and service. |
| Rule 3 | Appeal as of right—how taken. | Rule 26 | Computation and extension of time. |
| Rule 4 | Appeal as of right—when taken. | Rule 27 | Motion. |
| Rule 5 | Reserved for provisions relating to interlocutory appeals in civil actions. | Rule 28 | Briefs. |
| Rule 6 | Reserved for provisions relating to interlocutory appeals in criminal actions. | Rule 29 | Brief of an amicus curiae. |
| Rule 7 | Bond for costs on appeal in civil cases. | Rule 30 | Appendix to the briefs. |
| Rule 8 | Stay or injunction pending appeal. | Rule 31 | Filing and service of briefs. |
| Rule 9 | Release in criminal cases. | Rule 32 | Form of briefs, the appendix, and other papers. |
| Rule 10 | The record on appeal. | Rule 33 | Prehearing conference. |
| Rule 11 | Transmission of record. | Rule 34 | Oral argument. |
| Rule 12 | Docketing the appeal; filing the record. | Rule 35 | Determination of causes by the court en banc. |
| Rule 13 | Reserved. | Rule 36 | Entry of judgment. |
| Rule 14 | Reserved. | Rule 37 | Interest on judgments. |
| Rule 15 | Reserved. | Rule 38 | Damages for delay. |
| Rule 16 | Reserved. | Rule 39 | Costs. |
| Rule 17 | Reserved. | Rule 40 | Petition for rehearing. |
| Rule 18 | Reserved. | Rule 41 | Issuance of mandate. |
| Rule 19 | Reserved. | Rule 42 | Voluntary dismissal |
| Rule 20 | Reserved. | Rule 43 | Substitution of parties. |
| Rule 21 | Writs. | Rule 44 | Cases involving constitutional or Indian civil rights act question where the Winnebago Tribe is not a party. |
| Rule 22 | Habeas corpus proceedings. | | |
| Rule 23 | Custody of prisoners in habeas corpus proceedings. | | |

TITLE 1
ARTICLE 4
COUNSELORS AND PROFESSIONAL ATTORNEYS

| | | | |
|-------|---|-------|---|
| 1-400 | Lay counsel. | 1-404 | Disbarment and discipline. |
| 1-401 | Right to be represented by an attorney. | 1-405 | Standards of conduct and obligations for attorneys and lay counsel. |
| 1-402 | Eligibility for admission. | 1-406 | Oath of attorneys and lay counselors. |
| 1-403 | Procedure for admission. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1
ARTICLE 5
CONTEMPTS

| | | | |
|-------|--|-------|---------------------|
| 1-500 | Acts or failures to act which contribute contempt of Court. | 1-502 | Criminal contempt. |
| 1-501 | Civil contempt. | 1-503 | Contempt procedure. |

TITLE 1
ARTICLE 6
SELECTION OF JURORS

| | | | |
|-------|----------------------------------|-------|-------------------------|
| 1-600 | Eligibility for jury selection. | 1-603 | Power to excuse jurors. |
| 1-601 | Jury lists. | 1-604 | Compensation to jurors. |
| 1-602 | Jury panel selection procedures. | | |

TITLE 1
ARTICLE 7
JUDICIAL CONDUCT

| | | | |
|-------|---------------------------------------|-------|---|
| 1-700 | Adoption of Code of Judicial Conduct. | 1-705 | Canon 5. |
| 1-701 | Canon 1. | 1-706 | Canon 6. |
| 1-702 | Canon 2. | 1-707 | Canon 7. |
| 1-703 | Canon 3. | 1-708 | Compliance with Code of Judicial Conduct. |
| 1-704 | Canon 4. | | |

TITLE 1
ARTICLE 8
BONDS AND SURETIES

| | | | |
|-------|-------------------------------|-------|---|
| 1-800 | Justification of surety. | 1-804 | False valuation—penalty. |
| 1-801 | Qualifications of surety. | 1-805 | Action by Tribe or Tribal department—no bond required. |
| 1-802 | Real estate mortgage as bond. | 1-806 | Appearance bond—enforcement. |
| 1-803 | Valuation of real estate. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1
ARTICLE 9
MISCELLANEOUS

| | | | |
|-------|---|-------|---|
| 1-900 | Deputy may perform official duties. | 1-912 | Repealed by TCR 93-85. |
| 1-901 | Affirmation. | 1-913 | Copies of laws. |
| 1-902 | Publication in “patent insides.” | 1-914 | Cooperation by federal employees. |
| 1-903 | Action on official bond. | 1-915 | Effect of prior decisions of the Court. |
| 1-904 | May be several actions on same security. | 1-916 | Judicial review of legislative and executive actions. |
| 1-905 | Immaterial errors to be disregarded. | 1-917 | Action when no procedure provided. |
| 1-906 | Payments into Court for minors and incompetents. | 1-918 | Adoption by reference not a waiver of sovereign power of the Tribe. |
| 1-907 | Conserving moneys obtained for minors or incompetent persons. | 1-919 | Actions by or against Tribe or its officers. |
| 1-908 | Sharing of judicial officers. | 1-920 | Actions by or against Tribe or its officers or employees. |
| 1-909 | Sharing of other judicial personnel. | 1-921 | Principles of construction. |
| 1-910 | Sharing of material resources. | | |
| 1-911 | Sharing of financial resources. | | |

TITLE 1
ARTICLE 10
OFFICE OF THE GENERAL COUNSEL

| | | | |
|--------|-----------------------|--------|--------------------------------------|
| 1-1000 | Office established. | 1-1003 | Engagement of outside legal counsel. |
| 1-1001 | Duties. | 1-1004 | Title of Attorney General. |
| 1-1002 | Delegation of duties. | | |

TITLE 1
ARTICLE 11
TRADITIONAL WELLNESS COURT
(Amended August 29, 2011)

| | | | |
|--------|--|--------|--|
| 1-1101 | Construction. | 1-1109 | Powers and duties of Traditional Wellness Court Panel Members. |
| 1-1102 | Purpose. | 1-1110 | Powers and duties of the Traditional Wellness Court Coordinator. |
| 1-1103 | Traditional Wellness Court established. | 1-1111 | Intake process. |
| 1-1104 | Personal and subject matter jurisdiction. | 1-1112 | Procedures. |
| 1-1105 | Appointment of Wellness Court Panel Members. | 1-1113 | Records and confidentiality. |
| 1-1106 | Referral process. | 1-1114 | Completion of Proceedings. |
| 1-1107 | Reports to Tribal Court. | 1-1115 | Destruction of Records. |
| 1-1108 | Eligibility of juveniles to participate in the Traditional Wellness Court. | 1-1116 | Appeals. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1A
WINNEBAGO RULES OF EVIDENCE
As amended March 1, 1993.
(Redesignated February 24, 1994)

ARTICLE 1A
GENERAL PROVISIONS

| | | | |
|-------------|---------------------------|-------------|----------------------------------|
| Rule 1A-101 | Scope. | Rule 1A-105 | Limited admissibility. |
| Rule 1A-102 | Purpose and construction. | Rule 1A-106 | Remainder of or related |
| Rule 1A-103 | Rulings on evidence. | | writings or recorded statements. |
| Rule 1A-104 | Preliminary questions. | | |

TITLE 1A
ARTICLE 2
JUDICIAL NOTICE

| | |
|-------------|--|
| Rule 1A-201 | Judicial notice of adjudicative facts. |
|-------------|--|

TITLE 1A
ARTICLE 3
PRESUMPTIONS

| | | | |
|-------------|---|-------------|--|
| Rule 1A-301 | Presumptions in general in civil actions and proceedings. | Rule 1A-302 | Applicability of state law in civil actions and proceedings. |
|-------------|---|-------------|--|

TITLE 1A
ARTICLE 4
RELEVANCY AND ITS LIMITS

| | | | |
|-------------|--|-------------|--|
| Rule 1A-401 | Definition of relevant evidence. | Rule 1A-406 | Habit; routine practice. |
| Rule 1A-402 | Relevant evidence generally admissible; irrelevant evidence inadmissible. | Rule 1A-407 | Subsequent remedial measures. |
| Rule 1A-403 | Exclusion of relevant evidence on grounds of prejudice, confusion, or waste of time. | Rule 1A-408 | Compromise and offers to compromise. |
| Rule 1A-404 | Character evidence: not admissible to prove conduct; exceptions; other crimes. | Rule 1A-409 | Payment of medical and similar expenses. |
| Rule 1A-405 | Methods of proving character. | Rule 1A-410 | Inadmissibility of pleas, offers of pleas, and related statements. |
| | | Rule 1A-411 | Liability Insurance. |
| | | Rule 1A-412 | Sex offenses cases: relevance of victim's past behavior. |

TITLE 1A
ARTICLE 5
[RESERVED]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1A
ARTICLE 6
WITNESSES
(Revised March 9, 2011)

| | | | |
|-------------|---|-------------|---|
| Rule 1A-601 | General rule of competency. | Rule 1A-610 | Religious beliefs or opinions. |
| Rule 1A-602 | Lack of personal knowledge. | Rule 1A-611 | Mode and order of interrogation and presentation. |
| Rule 1A-603 | Oath or affirmation. | Rule 1A-612 | Writing used to refresh memory. |
| Rule 1A-604 | Interpreters. | Rule 1A-613 | Prior statements of witnesses. |
| Rule 1A-605 | Competency of judge as witness. | Rule 1A-614 | Calling and interrogation of witnesses by Court. |
| Rule 1A-606 | Competency of juror as witness. | Rule 1A-615 | Exclusion of witnesses. |
| Rule 1A-607 | Who may impeach. | Rule 1A-616 | Patient/Client - Physician/Counselor Privilege. |
| Rule 1A-608 | Evidence of character and conduct of witness. | | |
| Rule 1A-609 | Impeachment by evidence of conviction of crime. | | |

TITLE 1A
ARTICLE 7
OPINION AND EXPERT TESTIMONY

| | | | |
|-------------|--|-------------|--|
| Rule 1A-701 | Opinion testimony by lay witnesses. | Rule 1A-704 | Opinion on ultimate issue. |
| Rule 1A-702 | Testimony by experts. | Rule 1A-705 | Disclosure of facts or data underlying expert opinion. |
| Rule 1A-703 | Bases of opinion testimony by experts. | Rule 1A-706 | Court appointed experts. |

TITLE 1A
ARTICLE 8
HEARSAY

| | | | |
|-------------|---|-------------|--|
| Rule 1A-801 | Definitions. | Rule 1A-805 | Hearsay within hearsay. |
| Rule 1A-802 | Hearsay rule. | Rule 1A-806 | Attacking and supporting credibility of declarant. |
| Rule 1A-803 | Hearsay exceptions; availability of declarant immaterial. | | |
| Rule 1A-804 | Hearsay exceptions; declarant unavailable. | | |

TITLE 1A
ARTICLE 9
AUTHENTICATION AND IDENTIFICATION

| | | | |
|-------------|--|-------------|---|
| Rule 1A-901 | Requirement of authentication or identification. | Rule 1A-903 | Subscribing witness' testimony unnecessary. |
| Rule 1A-902 | Self-authentication. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1A
ARTICLE 10
CONTENTS OF WRITINGS, RECORDINGS AND PHOTOGRAPHS

| | | | |
|--------------|--|--------------|--|
| Rule 1A-1001 | Definitions. | Rule 1A-1006 | Summaries. |
| Rule 1A-1002 | Requirement of original. | Rule 1A-1007 | Testimony or written admission of party. |
| Rule 1A-1003 | Admissibility of duplicates. | Rule 1A-1008 | Functions of Court and jury. |
| Rule 1A-1004 | Admissibility of other evidence of contents. | | |
| Rule 1A-1005 | Public records. | | |

TITLE 1A
ARTICLE 11
MISCELLANEOUS RULES

| | | | |
|--------------|-------------------------|--------------|--------|
| Rule 1A-1101 | Applicability of rules. | Rule 1A-1103 | Title. |
| Rule 1A-1102 | Amendments. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1B
RULES OF CRIMINAL PROCEDURE
(Redesignated February 24, 1994)

ARTICLE 1
SCOPE, PURPOSE, AND CONSTRUCTION

Rule 1B-101 Scope, purpose and construction.

TITLE 1B
ARTICLE 2
PRELIMINARY PROVISIONS

| | | | |
|-------------|----------------------------|---------------|--------------------|
| Rule 1B-201 | Prosecution of offenses. | Rule 1B-203.1 | Time computations. |
| Rule 1B-202 | Rights of defendant. | Rule 1B-204 | Extradition. |
| Rule 1B-203 | Limitation of prosecution. | | |

TITLE 1B
ARTICLE 3
PROCEEDINGS BEFORE TRIAL

| | | | |
|---------------|---|---------------|---|
| Rule 1B-301 | The complaint. | Rule 1B-308 | Bail. |
| Rule 1B-302 | Arrest warrant or summons to appear: contents; service. | Rule 1B-309 | Joinder. |
| Rule 1B-302.1 | Service of arrest warrants and summons. | Rule 1B-310 | Pleas. |
| Rule 1B-302.2 | Citation instead of arrest. | Rule 1B-310.1 | Withdrawing guilty plea. |
| Rule 1B-303 | Search and seizure. | Rule 1B-310.2 | Plea Bargaining. |
| Rule 1B-304 | Arrest. | Rule 1B-311 | Pleading and motions before trial: defenses and objections. |
| Rule 1B-304.1 | Arrest in hot pursuit. | Rule 1B-312 | Joinder of offenses. |
| Rule 1B-304.2 | Limitations on arrest in the home. | Rule 1B-313 | Discovery and inspection. |
| Rule 1B-304.3 | Notification of rights. | Rule 1B-314 | Subpoena. |
| Rule 1B-304.4 | Telephone calls. | Rule 1B-315 | Dismissal. |
| Rule 1B-305 | Arraignment. | | |
| Rule 1B-306 | Pre-trial divers. | | |
| Rule 1B-307 | Commitments. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1B
ARTICLE 4
TRIAL

| | | | |
|-------------|------------------------------------|-------------|---|
| Rule 1B-401 | Trial by jury or by the Court. | Rule 1B-408 | Motion for judgment of acquittal; directed verdict. |
| Rule 1B-402 | Trial jurors. | | |
| Rule 1B-403 | Order of trial. | Rule 1B-409 | Instructions. |
| Rule 1B-404 | Trial by judicial panel. | Rule 1B-410 | Verdict. |
| Rule 1B-405 | Judge disability. | Rule 1B-411 | Regulation of conduct in the Courtroom. |
| Rule 1B-406 | Evidence. | | |
| Rule 1B-407 | Expert witnesses and interpreters. | Rule 1B-412 | Harmless error and plain error. |

TITLE 1B
ARTICLE 5
JUDGMENT
(As revised February 19, 2014)

| | | | |
|-------------|--------------------------------|-------------|--------------------------------------|
| Rule 1B-501 | Judgment. | Rule 1B-505 | Arrest of judgment. |
| Rule 1B-502 | Sentence. | Rule 1B-506 | Correction or reduction of sentence. |
| Rule 1B-503 | General sentencing provisions. | | |
| Rule 1B-504 | New trial. | Rule 1B-507 | Clerical mistakes. |

TITLE 1B
ARTICLE 6
APPEAL

| | | | |
|-------------|-----------------------------|-------------|---|
| Rule 1B-601 | Right of appeal; how taken. | Rule 1B-602 | Stay of judgment and relief pending review. |
|-------------|-----------------------------|-------------|---|

TITLE 1B
ARTICLE 7
MISCELLANEOUS PROVISIONS
(As revised February 19, 2014)

| | | | |
|-------------|--|-------------|---|
| Rule 1B-701 | Continuance. | Rule 1B-706 | Maximum fines and sentences, payment schedules; credit. |
| Rule 1B-702 | Disbursement of money and valuables collected. | Rule 1B-707 | Diversion and probation costs. |
| Rule 1B-703 | Habeas corpus. | Rule 1B-708 | Sex offenders. |
| Rule 1B-704 | Disposition of seized property. | Rule 1B-709 | Additional findings for sex offenses. |
| Rule 1B-705 | Designation of offenses. | Rule 1B-710 | Set aside for some convictions |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1C
ARTICLE 1
TRIBAL CHILD SUPPORT GUIDELINES

| | | | |
|-------------|--|-------------|---|
| Rule 1C-101 | Guidelines Adopted. | Rule 1C-114 | Split Custody. |
| Rule 1C-102 | Table. | Rule 1C-115 | Joint Physical Custody. |
| Rule 1C-103 | Purpose. | Rule 1C-116 | Alimony. |
| Rule 1C-104 | Temporary and Permanent Support. | Rule 1C-117 | Child-Care Expenses. |
| Rule 1C-105 | Rebuttable Presumption. | Rule 1C-118 | Child(ren)'s Health Insurance and Nonreimbursed Health Care Expenses. |
| Rule 1C-106 | Total Monthly Income. | Rule 1C-119 | Modification. |
| Rule 1C-107 | Deductions. | Rule 1C-120 | Basic Subsistence Limitation. |
| Rule 1C-108 | Monthly Support. | Rule 1C-121 | Limitation on Increase. |
| Rule 1C-109 | Parent's Monthly Share. | Rule 1C-122 | Limitation on Decrease. |
| Rule 1C-110 | More Than One Child. | Rule 1C-123 | Maintenance and Review of Guidelines. |
| Rule 1C-111 | Minimum Support. | | |
| Rule 1C-112 | Non-Cash Support. | | |
| Rule 1C-113 | Visitation or Parenting Time Adjustments. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 1D
BANISHMENT AND EXCLUSION CODE

Adopted June 16, 2010
Redesignated June 21, 2010
Repealed July 5, 2016
[TCR 10-110; 10-112; 16-106]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
CIVIL PROCEDURE
(As redesignated February 24, 1994)

ARTICLE 1
GENERAL PROVISIONS

| | | | |
|-------|------------------------------------|-------|--|
| 2-101 | Scope of this Act. | 2-107 | Declaratory judgment. |
| 2-102 | Jurisdiction in civil actions. | 2-108 | Court costs not charged to Tribe. |
| 2-103 | Title of this Act. | 2-109 | Effect of previous Court decisions. |
| 2-104 | Force of the Tribal common law | 2-110 | C.F.R. not applicable. |
| 2-105 | Definitions. | 2-111 | Laws applicable to civil action. |
| 2-106 | No effect upon sovereign immunity. | 2-112 | Court action when no procedure provided. |

TITLE 2
ARTICLE 2
COMMENCEMENT OF ACTION;
PLEADINGS, MOTIONS AND ORDERS

| | | | |
|-------|--|-------|---|
| 2-201 | Commencement of action. | 2-213 | Final dismissal on failure to amend. |
| 2-202 | One form of action. | 2-214 | Counterclaim and cross-claim. |
| 2-203 | “Claim” defined. | 2-215 | Counterclaim: effect of the statute of limitations. |
| 2-204 | Notice of pendency of action. | 2-216 | Counterclaims against assigned claims. |
| 2-205 | Notice of pendency contingent upon service. | 2-217 | Third-party practice. |
| 2-206 | Special notice for actions pending in other Courts. | 2-218 | Amended and supplemental pleadings. |
| 2-207 | Pleadings allowed; form of motions. | 2-219 | Pre-trial procedure; formulating issues. |
| 2-208 | General rules of pleading. | 2-220 | Lost pleadings. |
| 2-209 | Pleading special matters. | 2-221 | Tenders of money or property. |
| 2-210 | Form of pleadings, motions, and briefs. | 2-222 | Dismissal of actions. |
| 2-211 | Signing of pleadings. | | |
| 2-212 | Defenses and objections—when and how presented--by pleadings or motions--motion for judgment on the pleadings. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 3
PROCESS, SUMMONS,
FILING OF PLEADINGS AND OTHER PAPERS

| | | | |
|-------|---|---------|---|
| 2-301 | Issuance of summons. | 2-316 | Service pursuant to Court order. |
| 2-302 | Form of summons. | 2-317 | Summons and complaint; person to be served. |
| 2-303 | Who may serve process personally. | 2-317.1 | Effect of service of some of several defendants. |
| 2-304 | Service of process by mail. | 2-318 | Service upon party not inhabitant of or found within the territorial limits of the reservation. |
| 2-305 | Service by publication. | 2-319 | Territorial limits of effective service. |
| 2-306 | Publication service upon parties and the unknown successors of named parties. | 2-320 | Return of service of process. |
| 2-307 | Publication notice for recovery of money. | 2-321 | Alternative provisions for service in a foreign country. |
| 2-308 | Publication notice in quiet title actions. | 2-322 | Subpoena. |
| 2-309 | Completion of publication service. | 2-330 | Summons; time limit for service. |
| 2-310 | Entry of default on party served by publication. | 2-331 | Service and filing of pleadings and other papers. |
| 2-311 | Vacating default judgments where service is by publication. | 2-340 | Time. |
| 2-312 | Certain technical errors not grounds for vacating judgment. | 2-341 | General cases in which extraterritorial service authorized. |
| 2-313 | Meaning of “successors” for publication purposes. | 2-342 | Legal newspaper. |
| 2-314 | Minimum contacts required for effective long arm service. | | |
| 2-315 | Consent is effective substitute for service. | | |

TITLE 2
ARTICLE 4
PARTIES

| | | | |
|-------|--|-------|---|
| 2-401 | Parties plaintiff and defendant: capacity. | 2-406 | Interpleader. |
| 2-402 | Joinder of claims, remedies, and actions. | 2-407 | Class actions. |
| 2-403 | Joinder of persons needed for just adjudication. | 2-408 | Derivative actions by shareholders and members. |
| 2-404 | Permissive joinder of parties. | 2-409 | Intervention. |
| 2-405 | Misjoinder and non-joinder of parties. | 2-410 | Substitution of parties. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 5
DEPOSITIONS AND DISCOVERY

| | | | |
|-------|---|-------|---|
| 2-501 | General provisions governing discovery. | 2-508 | Interrogatories to parties. |
| 2-502 | Depositions before action or pending appeal. | 2-509 | Production of documents and things and entry upon land for inspection and other purposes. |
| 2-503 | Persons before whom depositions may be taken. | 2-510 | Physical and mental examination of persons. |
| 2-504 | Stipulations regarding discovery procedure. | 2-511 | Requests for admission. |
| 2-505 | Depositions upon oral examination. | 2-512 | Failure to make or cooperate in discovery: sanctions. |
| 2-506 | Depositions upon written questions. | | |
| 2-507 | Use of depositions in Court proceedings. | | |

TITLE 2
ARTICLE 6
WITNESSES

| | | | |
|-------|--|-------|--|
| 2-601 | Issue and service of subpoena for witnesses. | 2-610 | Requisites of attachment--order of commitment. |
| 2-602 | Subpoenas--contents. | 2-611 | Examination of prisoner. |
| 2-603 | Subpoena for deposition. | 2-612 | Prisoner's custody during examination. |
| 2-604 | Subpoena for agency hearings. | 2-613 | Witness privileged. |
| 2-605 | Witness may demand fees--exception. | 2-614 | Witness may demand fees each day--exception. |
| 2-606 | Disobedience of subpoena. | 2-615 | Special provisions for Tribal agencies. |
| 2-607 | Attachment of witness. | | |
| 2-608 | Punishment for contempt. | | |
| 2-609 | Discharge when imprisonment illegal. | | |

TITLE 2
ARTICLE 6, WITNESSES
SUBPART A
TESTIMONY UNDER PRIVILEGE AGAINST PROSECUTION

| | | | |
|-------|------------------------------------|-------|--|
| 2-650 | Privilege for committee testimony. | 2-654 | Disgrace as ground for refusal to testify. |
| 2-651 | Procedure for claiming privilege. | 2-655 | Prosecution. |
| 2-652 | Oaths. | 2-656 | Fees and mileage. |
| 2-653 | Penalties. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 7
JURORS

| | | | |
|-------|---|-------|--|
| 2-701 | Meeting for selection of jurors. | 2-711 | On-call system jurors. |
| 2-702 | Court clerk's jury selection roll. | 2-712 | Drawing trial jurors from panel. |
| 2-703 | Preparation of jury wheel. | 2-713 | Qualifications and exemptions of jurors. |
| 2-704 | Drawing general jury panel. | 2-714 | Substantial compliance. |
| 2-705 | Use of a jury panel. | 2-715 | Oath to jury. |
| 2-706 | Certifying and sealing lists. | 2-721 | Discharge of employee for jury service-- penalty. |
| 2-707 | Oath and delivery of envelopes. | 2-722 | Civil liability--damages. |
| 2-708 | Sealing and retaining juror name cards. | | |
| 2-709 | Refilling wheel. | | |
| 2-710 | Summoning jurors. | | |

TITLE 2
ARTICLE 8
TRIAL

| | | | |
|-------|----------------------|-------|---------------------------------|
| 2-801 | Trial defined. | 2-804 | Trial by jury or by the Court. |
| 2-802 | Trial of issues. | 2-805 | Assignment of cases for trial. |
| 2-803 | Jury trial of right. | 2-806 | Consolidation; separate trials. |

TITLE 2
ARTICLE 8, TRIAL
SUBPART A
IMPANELING JURY

| | | | |
|-------|--------------------------------|-------|---|
| 2-821 | Summoning jury. | 2-826 | Challenges to jurors – filling vacancies. |
| 2-822 | Causes for challenging jurors. | 2-827 | Alternate method of selecting jury. |
| 2-823 | Examination of jurors. | 2-828 | Oath of jury. |
| 2-824 | Alternate jurors. | 2-829 | Juries of less than six-majority verdict. |
| 2-825 | Order of challenges. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 8, TRIAL
SUBPART B
TRIAL PROCEDURES

| | | | |
|-------|--|-------|------------------------------------|
| 2-831 | Order of trial. | 2-839 | Admonition of jury on separation. |
| 2-832 | Taking of testimony. | 2-840 | Information after retirement. |
| 2-833 | Exceptions unnecessary. | 2-841 | When the jury may be discharged. |
| 2-834 | Instructions to jury objection. | 2-842 | Re-trial. |
| 2-835 | Uniform jury instructions. | 2-843 | Proof of official record. |
| 2-836 | Objections to instructions--copies to parties. | 2-844 | Determination of foreign law. |
| 2-837 | View by jury. | 2-845 | Appointment and duties of masters. |
| 2-838 | Deliberation of the jury. | | |

TITLE 2
ARTICLE 8, TRIAL
SUBPART C
VERDICT

| | | | |
|-------|------------------------------|-------|--|
| 2-851 | Findings by the Court. | 2-855 | Special verdict and interrogatories. |
| 2-852 | Delivery of verdict. | 2-856 | Jury must assess amount of recovery. |
| 2-853 | Requisites of verdicts. | 2-857 | Motions for a directed verdict and for judgment notwithstanding the verdict. |
| 2-854 | General and special verdict. | | |

TITLE 2
ARTICLE 8, TRIAL
SUBPART D
MISCELLANEOUS TRIAL PROVISIONS

| | | | |
|-------|---|-------|--------------------------|
| 2-871 | Provisions applicable to trials by Court. | 2-875 | Time of trial. |
| 2-872 | Trial docket. | 2-876 | Continuances. |
| 2-873 | Trial docket for bar. | 2-877 | Trial by judicial panel. |
| 2-874 | Order of trial of cases docketed. | 2-878 | Bifurcated jury trials. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 9
PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS

| | | | |
|-------|---|-------|---|
| 2-901 | Seizure of person or property. | 2-905 | Security--proceedings against sureties. |
| 2-902 | Receivers appointed by Tribal Courts. | 2-906 | Execution. |
| 2-903 | Deposit in Court. | | |
| 2-904 | Process in behalf of and against persons not parties. | | |

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART A
INJUNCTIONS

| | | | |
|-------|--|-------|--|
| 2-911 | Injunction defined. | 2-919 | Security. |
| 2-912 | Cause for injunction—temporary restraining order. | 2-920 | Use of affidavits. |
| 2-913 | Temporary restraining order; notice; hearing; duration. | 2-921 | Injunction by defendant. |
| 2-914 | Temporary restraining order--Service. | 2-922 | Injunction is equitable. |
| 2-915 | Preliminary injunction. | 2-923 | Modification of preliminary injunction. |
| 2-916 | Preliminary injunction--criteria. | 2-924 | Modification of permanent injunction. |
| 2-917 | Form and scope of injunction or restraining order. | 2-925 | Injunctions tried to the Court. |
| 2-918 | Employer and employee; interpleader; constitutional cases. | 2-926 | Enforcement of restraining orders and injunctions. |

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART B
REPLEVIN

| | | | |
|-------|--|-------|--|
| 2-931 | Order of delivery--procedure. | 2-939 | Exception to sureties. |
| 2-932 | Penalty for damage of property subject to order of delivery. | 2-940 | Proceedings on failure to prosecute action. |
| 2-933 | Undertaking in replevin. | 2-941 | Judgment--damages--attorney fees. |
| 2-934 | Replevin bond--value. | 2-942 | Officer may break into building. |
| 2-935 | Order of delivery. | 2-943 | Compelling delivery by attachment. |
| 2-936 | Order returnable. | 2-944 | Improper issue of order of delivery. |
| 2-937 | Execution or order. | 2-945 | Joinder of cause of action for debt--stay of judgment. |
| 2-938 | Re-delivery on bond. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART C
ATTACHMENT

| | | | |
|-------|-------------------------|-------|--------------------------------|
| 2-951 | Grounds for attachment. | 2-956 | Order of execution. |
| 2-952 | Attachment affidavit. | 2-957 | Execution of attachment order. |
| 2-953 | Attachment bonds. | 2-958 | Service of order. |
| 2-954 | Order of attachment. | 2-959 | Re-delivery on bond. |
| 2-955 | When returnable. | | |

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART D
GARNISHMENT
(As adopted November 17, 2010)

| | | | |
|-------|--|-------|---|
| 2-961 | Garnishment in aid of execution; when issued; procedure; court order; continuing lien; when invalid. | 2-964 | Answer; interrogatories; objections; contempt; hearing; response; |
| 2-962 | Priority of garnishments and liens. | 2-965 | Exemptions from garnishment. |
| 2-963 | Service upon garnishee; notice; hearing. | | |

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART E
PROVISIONS RELATING TO ATTACHMENT AND GARNISHMENT

(Reserved)

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART F
RECEIVERS

| | | | |
|---------|--------------------------|---------|---|
| 2-992.1 | Appointment of receiver. | 2-992.6 | Disposition of property litigated. |
| 2-992.2 | Persons ineligible. | 2-992.7 | Punishment for disobedience of Court. |
| 2-992.3 | Oath and bond. | 2-992.8 | Vacation of appointment by appellate Court. |
| 2-992.4 | Powers of receiver. | | |
| 2-992.5 | Investment of funds. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 9, PROVISIONAL AND FINAL REMEDIES AND SPECIAL PROCEEDINGS
SUBPART G
EMINENT DOMAIN

| | | | |
|---------|---|----------|-------------------------------|
| 2-993.1 | Who may exercise authority. | 2-993.6 | Appearance or answer. |
| 2-993.2 | What property may be condemned by eminent domain. | 2-993.7 | Amendment of pleadings. |
| 2-993.3 | Condemnation of property. | 2-993.8 | Substitution of parties. |
| 2-993.4 | Complaint. | 2-993.9 | Dismissal of action. |
| 2-993.5 | Process in eminent domain. | 2-993.10 | Deposit and its distribution. |
| | | 2-993.11 | Costs. |

TITLE 2
ARTICLE 10
JUDGMENT

| | | | |
|--------|--|----------|---|
| 2-1001 | Judgment; costs. | 2-1013 | <u>Reserved.</u> |
| 2-1002 | Default. | 2-1014 | Judgment against infant. |
| 2-1003 | Offer of judgment. | 2-1015 | Judgments as liens. |
| 2-1004 | Judgment for specific acts--vesting title. | 2-1016 | Discharge of money judgment liens. |
| 2-1005 | Summary judgment. | 2-1017 | Additional case deposits. |
| 2-1006 | Declaratory judgment. | 2-1018 | Reversal by appellate Court. |
| 2-1007 | Entry of judgment. | 2-1019 | Interest on money judgments. |
| 2-1008 | New trials; amendments of judgments. | 2-1020 | Exempt property. |
| 2-1009 | Relief from judgment or order. | 2-1020.1 | Payment of judgments from individual Indian moneys. |
| 2-1010 | Harmless error. | | |
| 2-1011 | Stay of proceedings to enforce a judgment. | | |
| 2-1012 | Disability of a judge. | | |

TITLE 2
ARTICLE 10, JUDGMENT
SUBPART A
FOREIGN JUDGMENTS

| | | | |
|--------|---|--------|--|
| 2-1021 | Definition. | 2-1025 | Stay of execution of foreign judgment. |
| 2-1022 | Filing and status of foreign judgments. | 2-1026 | Fees. |
| 2-1023 | Grounds for non-recognition. | 2-1027 | Optional procedure. |
| 2-1024 | Notice of filing. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 10, JUDGMENT
SUBPART B
EXECUTION

| | | | |
|--------|---|--------|--|
| 2-1031 | Execution--defined. | 2-1050 | Notice of sale of realty. |
| 2-1032 | Kinds of executions. | 2-1051 | Confirmation of sale. |
| 2-1033 | Property subject to levy. | 2-1052 | Police chief's deed. |
| 2-1034 | Property bound after seizure. | 2-1053 | Advance of printer's fees. |
| 2-1035 | Execution must be issued within five years. | 2-1054 | Demand for printing fees. |
| 2-1036 | Priority among property. | 2-1055 | Place of sale. |
| 2-1037 | Priority among executions. | 2-1056 | Other executions of realty not sold. |
| 2-1038 | Levy by priority. | 2-1057 | Levy on realty under several executions. |
| 2-1039 | Who makes levy. | 2-1058 | Deed by successor of officer making sale. |
| 2-1040 | When levy void. | 2-1059 | Payment to defendant of overplus after sale. |
| 2-1041 | Penalty for unlawful levy. | 2-1060 | Reversal of judgment after sale of interest in land. |
| 2-1042 | Levy on property claimed by third person. | 2-1061 | Execution of judgment in favor of Tribe. |
| 2-1043 | Re-delivery to defendant. | 2-1062 | Reappraisal where realty twice advertised for sale. |
| 2-1044 | Notice of sale of chattels. | 2-1063 | Return of execution. |
| 2-1045 | Further levy when property taken, insufficient. | 2-1064 | Principal and surety. |
| 2-1046 | Filing and indexing of execution. | 2-1065 | Hearing on assets. |
| 2-1047 | Waiver of appraisal. | | |
| 2-1048 | Return of appraisal. | | |
| 2-1049 | When lien restricted. | | |

TITLE 2
ARTICLE 10, JUDGMENT
SUBPART C
CONTRIBUTION

| | | | |
|--------|----------------------------|--------|---|
| 2-1071 | Joint debtors or sureties. | 2-1072 | Joint tort-feasor; contribution; indemnity; exemptions; covenant not to sue, etc. |
|--------|----------------------------|--------|---|

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 10, JUDGMENT
SUBPART D
COSTS

| | | | |
|--------|--|--------|--|
| 2-1081 | Affidavit in forma pauperis. | 2-1087 | Several actions on joint instruments. |
| 2-1082 | False swearing in such case. | 2-1088 | Clerk to tax costs. |
| 2-1083 | Costs where defendants disclaim. | 2-1089 | Cost of notice or other legal publication. |
| 2-1084 | Certain costs taxed at discretion of Court. | 2-1090 | Attorney fees taxable as costs. |
| 2-1085 | Costs to successful party as matter of course. | 2-1091 | Costs defined. |
| 2-1086 | Costs in other cases. | 2-1092 | Authority of Court to fix cost rates. |

TITLE 2
ARTICLE 11
LIMITATION OF ACTIONS

| | | | |
|--------|---|--------|--|
| 2-1101 | Limitations applicable. | 2-1106 | Absence or flight of defendant. |
| 2-1102 | Limitation of real actions. | 2-1107 | Limitation of new action after failure. |
| 2-1103 | Persons under disability-- in real property actions. | 2-1108 | Extension of limitation. |
| 2-1104 | Limitation of other actions. | 2-1109 | Statutory bar absolute. |
| 2-1105 | Persons under disability in actions other than real property actions. | 2-1110 | Law governing foreign claims. |
| | | 2-1111 | Limitation of building construction tort claims. |

TITLE 2
ARTICLE 12
FAMILY RELATIONS

| | | | |
|--------|--|--------|-----------------------------------|
| 2-1201 | Recording of marriages and divorces. | 2-1205 | Determination of heirs. |
| 2-1202 | Tribal custom marriage and divorce. | 2-1206 | Approval of wills. |
| 2-1203 | Tribal custom adoption. | 2-1207 | Recognition of same-sex marriage. |
| 2-1204 | Determination of paternity and support | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 12, FAMILY RELATIONS
SUBPART A
STATUTORY DIVORCE

| | | | |
|--------|---|--------|---|
| 2-1211 | Grounds for divorce. | 2-1223 | Remarriage and cohabitation. |
| 2-1212 | Residence of plaintiff or defendant. | 2-1224 | Punishment for certain remarriage and cohabitation. |
| 2-1213 | Personal jurisdiction. | 2-1225 | Remarriage within six months. |
| 2-1214 | Custody of children, disposition of property. | 2-1226 | Time when judgment final. |
| 2-1215 | Orders concerning property, children, support and expenses. | 2-1227 | Avoidance of marriage of incompetents. |
| 2-1216 | Care and custody of children. | 2-1228 | Alimony without divorce. |
| 2-1217 | Preference of child. | 2-1229 | Evidence. |
| 2-1218 | Paternity determination. | 2-1230 | Setting aside of divorce decrees. |
| 2-1219 | Interest on delinquent payments. | 2-1231 | Termination of money payments. |
| 2-1220 | Restoration of wife's maiden name. | 2-1232 | Mailing of alimony and support payments. |
| 2-1221 | Disposition of property. | 2-1233 | Modification of decree. |
| 2-1222 | Effect of divorce. | 2-1234 | Effect on common law divorce. |
| | | 2-1235 | Requirement of parenting education. |

TITLE 2
ARTICLE 13
FORCIBLE ENTRY AND DETAINER

| | | | |
|--------|-----------------------------------|--------|--|
| 2-1301 | Forcible entry and detention. | 2-1309 | Procedure where no jury available. |
| 2-1302 | Powers of Court. | 2-1310 | Attorney fee. |
| 2-1303 | Extent of jurisdiction. | 2-1311 | Writ of execution; form; new trial. |
| 2-1304 | Issuance and return of summons. | 2-1312 | Stay of execution. |
| 2-1305 | Service of summons. | 2-1313 | Forcible entry and detainer action on small claims docket. |
| 2-1306 | Constructive service of summons. | 2-1314 | Affidavit; form. |
| 2-1307 | Answer or affidavit by defendant. | 2-1315 | Summons; form. |
| 2-1308 | Trial by Court. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 14
HABEAS CORPUS

| | | | |
|--------|--|--------|---|
| 2-1401 | Persons who may prosecute writ. | 2-1413 | Writ upon temporary commitment. |
| 2-1402 | Application for writ. | 2-1414 | Writ may issue to admit to bail. |
| 2-1403 | Writ granted. | 2-1415 | Notice to interested persons. |
| 2-1404 | Direction and command of writ. | 2-1416 | Powers of Court. |
| 2-1405 | Delivery to Tribal police chief. | 2-1417 | Officers not liable for obeying orders. |
| 2-1406 | Service on party other than Tribal police chief. | 2-1418 | Issuance of warrant of attachment. |
| 2-1407 | Service when person not found. | 2-1419 | Arrest of party causing restraint. |
| 2-1408 | Return and enforcement of writ. | 2-1420 | Execution of warrant of attachment. |
| 2-1409 | Manner of return. | 2-1421 | Temporary orders. |
| 2-1410 | Proceedings in case of sickness or infirmity. | 2-1422 | Issuance and service on Sunday. |
| 2-1411 | Hearings and discharge. | 2-1423 | Issue of process. |
| 2-1412 | Limits on inquiry. | 2-1424 | Protection of infants and insane persons. |
| | | 2-1425 | Security for costs not required. |

TITLE 2
ARTICLE 15
MANDAMUS

| | | | |
|--------|--------------------------------------|--------|--|
| 2-1501 | Function of mandamus. | 2-1507 | Answer. |
| 2-1502 | Writ not issued where remedy at law. | 2-1508 | Failure to answer. |
| 2-1503 | Forms and contents of writs. | 2-1509 | Similarity to civil action. |
| 2-1504 | When peremptory writ of issues. | 2-1510 | Recovery by plaintiff. |
| 2-1505 | Petition upon affidavit. | 2-1511 | Damages bar further actions. |
| 2-1506 | Allowance and service of writ. | 2-1512 | Penalty for refusal or neglect to perform. |

TITLE 2
ARTICLE 16
QUO WARRANTO

| | | | |
|--------|--|--------|------------------------------|
| 2-1601 | Quo Warranto; relief obtainable by civil action. | 2-1605 | Judgment for plaintiff. |
| 2-1602 | Grounds for action. | 2-1606 | Enforcement of judgment. |
| 2-1603 | Persons who may bring action. | 2-1607 | Separate action for damages. |
| 2-1604 | Judgment is contest of office. | 2-1608 | Corporation. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 2
ARTICLE 17
SMALL CLAIMS PROCEDURE

| | | | |
|--------|---|--------|--|
| 2-1701 | Small claims. | 2-1710 | Trial by Court. |
| 2-1702 | Small claims affidavit. | 2-1711 | Payment of judgment. |
| 2-1703 | Preparation of affidavit. | 2-1712 | Appeals. |
| 2-1704 | Service of affidavit. | 2-1713 | Fees. |
| 2-1705 | Date for appearance. | 2-1714 | Costs. |
| 2-1706 | Transfer of actions. | 2-1715 | Judgments rendered under small claims procedure. |
| 2-1707 | Counterclaim or setoff. | 2-1716 | Fee for docketing judgment. |
| 2-1708 | Actions for amounts exceeding excess of two thousand dollars. | 2-1717 | Other action in small claims Court. |
| 2-1709 | Attachment or garnishment, other matters. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 3
CRIMINAL CODE
(As redesignated June 1, 1989)

ARTICLE 1
GENERAL PROVISIONS

| | | | |
|-------|------------------------------------|-------|--------------------------------------|
| 3-101 | Name and citation. | 3-109 | Limitation. |
| 3-102 | Effective date. | 3-110 | Separate trials. |
| 3-103 | Purpose and construction. | 3-111 | Lesser included offenses. |
| 3-104 | No affect on civil liability. | 3-112 | Double jeopardy. |
| 3-105 | Exclusiveness of offenses. | 3-113 | Burden and presumption of innocence. |
| 3-106 | Severability. | 3-114 | Negating defenses. |
| 3-107 | Terms, defined. | 3-115 | Presumptions of fact. |
| 3-108 | Prosecution for multiple offenses. | | |

TITLE 3
ARTICLE 2
PRINCIPLES OF CRIMINAL RESPONSIBILITY

| | | | |
|-------|---|-------|--|
| 3-201 | Acts and omissions to act. | 3-214 | Public duty; execution. |
| 3-202 | Culpability; general requirements. | 3-215 | Use of force; self-protection. |
| 3-203 | Causal relationship between conduct and result. | 3-216 | Use of force; protection of others persons. |
| 3-204 | Ignorance or mistake of fact. | 3-217 | Use of force; protection of property. |
| 3-205 | Liability for conduct of another. | 3-218 | Use of force; law enforcement. |
| 3-206 | Corporation and unincorporated associations. | 3-219 | Use of force by person with special responsibility for care, discipline or safety of others. |
| 3-207 | Intoxication. | 3-220 | Mistake of law; reckless or negligent use of force. |
| 3-208 | Duress. | 3-221 | Justification in property crimes. |
| 3-209 | Consent. | 3-222 | Justification an affirmative defense; civil remedies unaffected. |
| 3-210 | Entrapment. | | |
| 3-211 | Mental disease or defect. | | |
| 3-212 | Justification; terms defined. | | |
| 3-213 | Justification; choice of evils. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 3
ARTICLE 3
CRIMES AGAINST PROPERTY

| | | | |
|-------|--|-------|--|
| 3-301 | Building defined. | 3-328 | Criminal possession of a forged instrument; penalty. |
| 3-302 | Arson, first degree; penalty. | 3-329 | Criminal possession of forgery devices; penalty. |
| 3-303 | Arson, second degree; penalty. | 3-330 | Criminal simulation; penalty. |
| 3-304 | Arson, third degree; penalty. | 3-331 | Criminal impersonation; penalty. |
| 3-305 | Burning to defraud insurer; penalty. | 3-332 | Issuing a bad check; penalty. |
| 3-306 | Burglary; penalty. | 3-333 | False statement or book entry; destruction or secretion of records; penalty; organization defined. |
| 3-307 | Possession of burglary tools; penalty. | 3-334 | Commercial bribery and breach of duty to act disinterestedly; penalty. |
| 3-308 | Breaking and entering; penalty. | 3-335 | Fraudulent use of credit card; penalty. |
| 3-309 | Theft; terms defined. | 3-336 | Deceptive business practices; penalty. |
| 3-310 | Consolidation of theft offenses. | 3-337 | Defrauding creditors; penalty. |
| 3-311 | Theft by unlawful taking or disposition. | 3-338 | Securing execution of documents by deception; penalty. |
| 3-312 | Theft by shoplifting; penalty. | 3-339 | Criminal usury; penalty. |
| 3-313 | Theft by deception. | 3-340 | Unlawful dealing with property by a fiduciary; penalty. |
| 3-314 | Theft by extortion. | 3-341 | Making a false credit report; penalty. |
| 3-315 | Theft of property lost, mislaid, delivered by mistake; penalty. | 3-342 | Computers; terms defined. |
| 3-316 | Theft of services; penalty. | 3-343 | Depriving or obtaining property or services; penalty. |
| 3-317 | Unauthorized use of a propelled vehicle; affirmative defense; penalty. | 3-344 | Unlawful acts; harming or disrupting operations; penalties. |
| 3-318 | Theft by receiving stolen property. | 3-345 | Unlawful acts; obtaining confidential public information; penalties. |
| 3-319 | Grading of theft offenses. | 3-346 | Unlawful acts; access without authorization; exceeding authorization; penalties. |
| 3-320 | Criminal mischief; penalty. | | |
| 3-321 | Criminal trespass; penalty. | | |
| 3-322 | Repealed. | | |
| 3-323 | Criminal trespass, affirmative defenses. | | |
| 3-324 | Littering of public and private property; penalty. | | |
| 3-325 | Forgery; terms defined. | | |
| 3-326 | Forgery, first degree; penalty. | | |
| 3-327 | Forgery, second degree; forgery penalties. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 3
ARTICLE 4
CRIMES AGAINST THE PERSON

| | | | |
|---------|---|-------|---|
| 3-401 | Compounding a criminal offense, defined; penalty. | 3-416 | Sexual assault; legislative intent. |
| 3-402 | Homicide; terms defined. | 3-417 | Sexual assault; terms defined. |
| 3-403 | Murder in the first degree; penalty. | 3-418 | Sexual assault; first degree; penalty. |
| 3-404 | Murder in the second degree; penalty. | 3-419 | Sexual assault; second degree; penalty. |
| 3-405 | Manslaughter; penalty. | 3-420 | Sexual assault; in camera hearing. |
| 3-406 | Motor vehicle homicide; penalty. | 3-421 | Sexual assault; evidence of past sexual behavior; when admissible; procedure. |
| 3-407 | Assisting suicide, defined; penalty. | 3-422 | Sexual assault; evidence against another person; when admissible. |
| 3-408 | Assault in the first degree; penalty. | 3-423 | Confined person; offenses against another person; penalty; sentence. |
| 3-409 | Assault in the second degree; penalty. | 3-424 | Robbery; penalty. |
| 3-409.5 | Simple assault; penalty. | 3-425 | Stalking. |
| 3-410 | Terroristic threats; penalty. | 3-426 | Strangling. |
| 3-411 | Restrain, abduct; defined. | 3-427 | Suffocating. |
| 3-412 | Kidnapping; penalty. | 3-428 | Domestic Violence. |
| 3-413 | False imprisonment in the first degree; penalty. | 3-429 | Family Violence. |
| 3-414 | False imprisonment in the second degree; penalty. | 3-430 | Crime involving domestic or family violence. |
| 3-415 | Violation of custody; penalties. | | |

TITLE 3
ARTICLE 5
INCHOATE CRIMES

| | | | |
|-------|--|-------|--|
| 3-501 | Criminal attempt; conduct; penalty. | 3-504 | Accessory to crime; defined; penalty. |
| 3-502 | Conspiracy, defined; penalty. | 3-505 | Aiding consummation of crime; penalty. |
| 3-503 | Conspiracy; renunciation of criminal intent. | 3-506 | Prosecuting for aiding and abetting. |

WINNEBAGO TRIBAL CODE
TITLE 3 ARTICLE 6

TITLE 3
ARTICLE 6
CRIMES AGAINST PUBLIC JUSTICE

- | | | | |
|-------|--|-------|--|
| 3-601 | Obstructing government operations; penalty. | 3-620 | Bribery of a juror; penalty; juror receiving bribe; penalty. |
| 3-602 | Physical injury related to criminal offense; report by health care provider; sexual assault; duties of health care provider; law enforcement agency; duties; violation; penalty. | 3-621 | Tampering with witnesses, informants, or jurors; penalty. |
| 3-603 | Refusing to aid a peace officer; penalty. | 3-622 | Jury tampering; penalty. |
| 3-604 | Resisting arrest; penalty; affirmative defense. | 3-623 | Tampering with physical evidence; penalty; physical evidence, defined. |
| 3-605 | Consumption of liquor on public property, public roads, streets, alleys, forbidden; penalty. | 3-624 | Simulating legal process; penalty. |
| 3-606 | Obstructing a peace officer; penalty. | 3-625 | Employee; penalized due to jury service; prohibited; penalty. |
| 3-607 | False reporting; penalty. | 3-626 | Impersonating a peace officer. |
| 3-608 | Interfering with a fireman on official duty; penalty; fireman, defined. | 3-627 | Impersonating a public servant. |
| 3-609 | Abuse of public record; penalty; public record, defined. | 3-628 | Official misconduct; penalty. |
| 3-610 | Escape; official detention, defined; knowingly permitting escape; penalty; defense to prosecution. | 3-629 | Oppression under color of office; penalty. |
| 3-611 | Providing contraband; penalty. | 3-630 | Misusing public money. |
| 3-612 | Loitering about jail; penalty. | 3-631 | Improper influence in official matters. |
| 3-613 | Assault on an officer in the first degree; penalty. | 3-632 | Retaliation for past official action. |
| 3-614 | Assault on an officer in the second degree; penalty. | 3-633 | Improper gifts to public servants. |
| 3-615 | Repealed. | 3-634 | Special influence. |
| 3-616 | Perjury; subornation of perjury; penalty. | 3-635 | Doing business without a license. |
| 3-617 | Juror, testimony and official proceedings; defined. | 3-636 | Tampering with public property. |
| 3-618 | Bribery; penalty. | 3-637 | Injuring public property. |
| 3-619 | Bribery of a witness; penalty; witness receiving bribe; penalty. | 3-638 | Bail jumping. |
| | | 3-639 | Failure to obey a lawful order of the Court. |
| | | 3-640 | Repealed. |
| | | 3-641 | Neglecting to serve a warrant; penalty; forfeiture of office. |
| | | 3-642 | Mutilating a flag; penalty; flag, defined. |
| | | 3-643 | Illegal solicitation. |
| | | 3-644 | Repealed. |
| | | 3-645 | Failure to appear; penalty. |
| | | 3-646 | Sell or exchange of property for promise to vote prohibited. |
-

WINNEBAGO TRIBAL CODE
TITLE 3

TITLE 3
ARTICLE 7

CRIMES AGAINST PUBLIC HEALTH, SAFETY AND WELFARE
(As revised December 12, 2025)

- | | | | |
|---------|--|-------|---|
| 3-701 | Bigamy; penalty; exception. | 3-731 | Debauching a minor; penalty. |
| 3-702 | Incestuous marriages; declared void. | 3-732 | Public indecency; penalty. |
| 3-703 | Incest; penalty. | 3-733 | Obscenity; penalty. |
| 3-704 | Child abuse; penalty. | 3-734 | Rioting; penalty. |
| 3-705 | [REPEALED by TCR 15-133] | 3-735 | Failure to disperse; penalty. |
| 3-706 | [REPEALED by TCR 15-133] | 3-736 | Dangerous weapon, firearm, school zone, other terms; defined. |
| 3-706.1 | [REPEALED by TCR 15-133] | 3-737 | Unlawful carrying or possession of dangerous weapons; penalty. |
| 3-707 | [REPEALED by TCR 15-133] | 3-738 | Aggravated weapons offense; penalty. |
| 3-708 | [REPEALED by TCR 15-133] | 3-739 | Using firearms to commit a crime; penalty. |
| 3-709 | Privileged communication; patient and physician; husband and wife; not ground for excluding evidence. | 3-740 | Dangerous devices; penalty. |
| 3-710 | Abandonment of spouse, child or dependent stepchild; child, defined. | 3-741 | Fireworks offense; penalty. |
| 3-711 | Criminal nonsupport; penalty; exception. | 3-742 | Inhaling or drinking certain compounds; penalty. |
| 3-712 | Protective custody; penalty. | 3-743 | Selling and offering for sale certain compounds; use; knowledge of seller; unlawful. Act, exceptions. |
| 3-713 | Failure to send child to school and educational neglect of a minor; truancy; penalties. | 3-744 | Act, exceptions. |
| 3-714 | Curfew; penalty. | 3-745 | [Reserved.] |
| 3-715 | Contributing to the delinquency of a child; definitions; procuring alcohol for a minor; penalty. | 3-746 | Abandoning, or concealing a dead human body; penalty. |
| 3-716 | Minor in possession; penalty. | 3-747 | Concealing the death of another person; penalty. |
| 3-717 | Tobacco; minor in possession; sale to minors; smoking in tribal building prohibited; penalties; exemption. | 3-748 | Intimidation by phone call; penalty; prima facie evidence. |
| 3-718 | Trafficking in children; penalty. | 3-749 | Interfering with a public service company; penalty. |
| 3-719 | Welfare offense; penalty. | 3-750 | Maintaining a nuisance; penalty; abatement or removal. |
| 3-720 | Desecration; penalty. | 3-751 | Disturbing the peace; penalty. |
| 3-721 | Disrupting a public or religious assembly. | 3-752 | Telecommunications violations; penalty. |
| 3-722 | Violation of privacy; penalty. | 3-753 | Animal, cruel mistreatment, cruel neglect, and abandon; defined. |
| 3-723 | Criminal defamation; penalty. | 3-754 | Cruelty to animals; penalty; authorized or permitted conduct. |
| 3-724 | Harassment; penalty. | 3-755 | Livestock offense; penalty. |
| 3-725 | Disorderly conduct; penalty. | 3-756 | Waters offense; penalty. |
| 3-726 | Prostitution; penalty; citation in lieu of arrest. | 3-757 | Assault of a Human Embryo or Fetus; terms defined; limitations. |
| 3-727 | Pandering; penalty. | 3-758 | Assault of a Human Embryo or Fetus in the first degree; penalty. |
| 3-728 | Pandering; evidence. | | |
| 3-729 | Keeping a place of prostitution; penalty. | | |
| 3-730 | Prostitution cases; incrimination testimony; how treated. | | |

WINNEBAGO TRIBAL CODE
TITLE 3

TITLE 3
ARTICLE 7

CRIMES AGAINST PUBLIC HEALTH, SAFETY AND WELFARE
(continued)

- | | | | |
|-------|--|-------|---|
| 3-759 | Assault of a Human Embryo or Fetus in the second degree; penalty | 3-761 | Indecent liberties; penalty. |
| 3-760 | Assault of a Human Embryo or Fetus in the third degree; penalty. | 3-762 | Video Recording and Distribution of Criminal Assaults |
-

WINNEBAGO TRIBAL CODE
TITLE 3

TITLE 3
ARTICLE 8
CONTROLLED SUBSTANCES ACT
(As revised December 12, 2025)

| | | | |
|-------|--|-------|--|
| 3-801 | Definitions. | 3-820 | Certain substances causing intoxication; exemptions; penalties. |
| 3-802 | Prohibition of sales, transport, import, export or possession of drug paraphernalia or drug manufacturing equipment. | 3-821 | Endeavor and conspiracy. |
| 3-803 | Narcotics revolving fund. | 3-822 | General penalty clause. |
| 3-804 | Future controlled substances included. | 3-823 | Additional penalties. |
| 3-805 | Nomenclature in schedules. | 3-824 | Severability. |
| 3-806 | Schedule I characteristics. | 3-825 | Possession of a dangerous drug; penalty. |
| 3-807 | Schedule II characteristics. | 3-826 | Dangerous drug offense; penalty. |
| 3-808 | Schedule III characteristics. | 3-827 | Manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give or distribute methamphetamine; penalty. |
| 3-809 | Schedule IV characteristics. | 3-828 | Methamphetamine lab cleanup costs; reimbursement. |
| 3-810 | Schedule V characteristics. | 3-830 | Short Title. |
| 3-811 | Schedule I. | 3-831 | Purpose. |
| 3-812 | Schedule II. | 3-832 | Definitions. |
| 3-813 | Schedule III. | 3-833 | Prohibition on Vaping on School Property by Minors. |
| 3-814 | Schedule IV. | 3-834 | General Prohibition of possession of vaping device by Minors. |
| 3-815 | Schedule V | 3-835 | Prohibition on Vaping on School Property by Adults. |
| 3-816 | Seizure without warrant; forfeitures; disposition; evidence; court costs; and expenses. | 3-836 | Furnishing Vaping Devices to Minors. |
| 3-817 | School Property; distribution; dispensing or possession. | 3-837 | Enforcement. |
| 3-818 | Prohibited acts; penalties. | 3-838 | Severability. |
| 3-819 | Prohibited acts; fraud, deceit. | | |

TITLE 3
ARTICLE 9
[Reserved]

TITLE 3
ARTICLE 10
[Reserved]

TITLE 3
ARTICLE 11
[Reserved]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 3
ARTICLE 12
ADULT AND ELDERLY PROTECTIVE SERVICES ACT

| | | | |
|--------|--|--------|--|
| 3-1200 | Citation. | 3-1210 | Willful release of confidential information. |
| 3-1201 | Legislative intent. | 3-1211 | Abuse of a vulnerable or elderly adult. |
| 3-1202 | Definitions. | 3-1212 | Ex parte order authorized. |
| 3-1203 | Duty of healthcare providers to report abuse. | 3-1213 | Subpoena of Medical and Financial Records. |
| 3-1204 | Duty of law enforcement to investigate. | 3-1214 | Procedures for prosecution. |
| 3-1205 | Immunity from liability. | 3-1215 | Conditions of Release. |
| 3-1206 | No access to records. | 3-1216 | Elder Protection Order and Time Limits. |
| 3-1207 | Evidence exclusions void. | 3-1217 | Violation of Protection Orders. |
| 3-1208 | No abuse solely for reliance upon spiritual healing. | 3-1218 | Severability. |
| 3-1209 | Willful failure to report. | | |

TITLE 3
ARTICLE 13
(Adopted May 3, 2024)

| | | | |
|--------|---|--------|---|
| 3-1301 | Purpose and Findings. | 3-1304 | Rights specific to Victims of Sexual Assault. |
| 3-1302 | Definitions. | 3-1305 | Rights of All Victims of Crime; Duty of Prosecutor to Inform. |
| 3-1303 | Duties of Law Enforcement to Victims of Domestic or Family Violence; Required Notice. | 3-1306 | Victim Advocate. |
| | | 3-1307 | No Cause of Action. |

TITLE 3
ARTICLE 14
WINNEBAGO LAW ENFORCEMENT CODE

| | | | |
|--------|----------------------------|--------|--|
| 3-1401 | Purpose. | 3-1408 | Chief of Police. |
| 3-1402 | Source of Authority. | 3-1409 | Tribal Police Officers. |
| 3-1403 | Repealer. | 3-1410 | Powers of the Winnebago Police Department. |
| 3-1404 | Definitions. | 3-1411 | Cross-Deputization and Other Agreement |
| 3-1405 | Jurisdiction. | 3-1412 | Conflicts of Interest. |
| 3-1406 | Authority over Department. | 3-1413 | Severability. |
| 3-1407 | General Principles. | | |

WINNEBAGO TRIBAL CODE
TITLE 3

TITLE 3
ARTICLE 15
CRIMINAL TRAFFIC OFFENSES
(As adopted September 24, 2003)

- | | | | |
|--------|--|--------|--|
| 3-1500 | Driving under influence of alcoholic liquor or drug; penalties; revocation of operator's license; applicable to violation of statutes or ordinances; probation; alcohol assessment; court; powers. | 3-1508 | License revocation; appeal. |
| 3-1501 | Driving under influence of alcoholic liquor or drugs; implied consent to submit to chemical test; when test administered; refusal; penalty. | 3-1509 | Blood sample; results of chemical test; admissible in criminal prosecution; disclosure required. |
| 3-1502 | Driving under influence of alcoholic liquor or drugs; test; additional test; refusal to permit; effect; results of test; available upon request. | 3-1510 | Person under twenty-one years of age; prohibited acts; enforcement. |
| 3-1503 | Driving under influence of alcoholic liquor or drugs; chemical test; consent of person incapable of refusal not withdrawn. | 3-1511 | Implied consent to submit to chemical test; when test administered; refusal; penalty. |
| 3-1504 | Driving under influence of alcoholic liquor or drugs; chemical test; violation of statute or ordinance; results; competent evidence; permit; fee. | 3-1512 | Impounded operator's license; sealing of record; when; operation of motor vehicle authorized. |
| 3-1505 | Driving under influence of alcohol; operator's license; confiscation and revocation; procedures; appeal. | 3-1513 | Ignition interlock device; court order authorized; issuance of restricted Class O license; prohibited act; violation; penalty. |
| 3-1506 | Driving under influence of alcohol; revocation of impounded operator's license; procedure; reinstatement; fee; eligibility for employment driving permit and ignition interlock device. | 3-1514 | Careless driving, defined; penalty. |
| 3-1507 | Operator's license revocation decision; notice; contents. | 3-1515 | Reckless driving, defined; penalty. |
| | | 3-1516 | Willful reckless driving, defined. |
| | | 3-1517 | Willful reckless driving; first offense; penalty. |
| | | 3-1518 | Reckless driving or willful reckless driving; second offense; penalty. |
| | | 3-1519 | Reckless driving or willful reckless driving; third and subsequent offenses; penalty. |
-

TITLE 3
ARTICLE 16
WINNEBAGO PUBLIC SAFETY COMMISSION CODE
(As adopted July 15, 2025)

- | | |
|--|----------------------------------|
| 3-1600 Establishment. | 3-1609 Confidentiality. |
| 3-1601 Purpose and Policy. | 3-1610 Conflicts of Interest. |
| 3-1603 Source of Authority. | 3-1611 Removal of Commissioners. |
| 3-1604 Definitions. | 3-1612 Complaints. |
| 3-1605 Winnebago Public Safety Commission. | 3-1613 Commission Hearings. |
| 3-1606 Commission Meetings. | 3-1614 Severability. |
| 3-1606 Appointment of Commissioners. | 3-1615 Repealer. |
| 3-1607 Commissioner Requirements and Qualifications. | |
-

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 4
JUVENILE PROCEDURE
(As redesignated July 1, 1989)

ARTICLE 1
GENERAL PROVISIONS

| | | | |
|-------|--|-------|---|
| 4-100 | Citation. | 4-119 | Rules of procedure. |
| 4-101 | Purpose. | 4-120 | Expenditure of funds. |
| 4-102 | Definitions. | 4-121 | Procedure. |
| 4-103 | Place of sitting. | 4-122 | Prosecution; criminal charge or Juvenile Court petition; determination; considerations. |
| 4-104 | Juvenile Court established. | 4-123 | Juvenile charged in court other than Juvenile Court; transfer to Juvenile Court; procedure. |
| 4-105 | Jurisdiction. | 4-124 | Pre-transfer report. |
| 4-106 | Court authority. | 4-125 | Orders for support. |
| 4-107 | Indian child welfare transfers from Tribal Courts. | 4-126 | Prosecutor's duties. |
| 4-108 | Child welfare transfers to tribal or state courts. | 4-127 | Inspection of court records. |
| 4-109 | Court support staff. | 4-128 | Law enforcement records. |
| 4-110 | Notice of legal rights. | 4-129 | Child and family services. |
| 4-111 | Basic rights. | 4-130 | Identity confidential. |
| 4-112 | Warrants and custody orders. | 4-131 | Exclusion of certain statement by alleged delinquent. |
| 4-113 | Full faith and credit. | 4-132 | Voluntary foster care authorized. |
| 4-114 | Admissibility of evidence in other proceedings. | 4-133 | Required Findings by a Court for Removal. |
| 4-115 | Expungement. | 4-134 | Reasonable Efforts. |
| 4-116 | Contempt of court. | 4-135 | Winnebago Kinship System. |
| 4-117 | Medical examination. | | |
| 4-118 | Fingerprints. | | |

TITLE 4
ARTICLE 2
EMERGENCY CUSTODY

| | | | |
|-------|--|-------|--|
| 4-201 | Taking a minor into custody. | 4-210 | Court ordered medical treatment. |
| 4-202 | Notification of parents. | 4-211 | Court ordered commitment for observation. |
| 4-203 | Notification of Court officers. | 4-212 | Search warrants for the protection of children. |
| 4-204 | Release of detained child. | 4-213 | Preliminary inquiry: criteria for detention or shelter care. |
| 4-205 | Special release rule for major offenses. | 4-214 | Place of detention or shelter care. |
| 4-206 | Court ordered release. | 4-215 | Standards for shelter care and detention facilities. |
| 4-207 | Extension of detention period. | | |
| 4-208 | Detention and shelter. | | |
| 4-209 | Emergency shelter in child's home. | | |

WINNEBAGO TRIBAL CODE
TITLE 4

TITLE 4
ARTICLE 3
ADJUDICATION

| | | | |
|-------|---|-------|---|
| 4-301 | Court intake. | 4-309 | Adjudicatory hearing. |
| 4-302 | Prosecutor's (presenting officer's) intake. | 4-310 | Mentally ill and developmentally disabled children. |
| 4-303 | Diversion by contract. | 4-311 | Consent decree. |
| 4-304 | Diversion contract inadmissible. | 4-312 | Dismissal of petition. |
| 4-305 | Diversion by consent decree. | 4-313 | Sustaining petition |
| 4-306 | Limitations on diversions. | 4-314 | Temporary orders. |
| 4-307 | Guardian ad litem appointments. | | |
| 4-308 | Guardian ad litem duties. | | |

TITLE 4
ARTICLE 4
DISPOSITION

| | | | |
|-------|---|-------|--|
| 4-401 | Pre-dispositional report. | 4-411 | Child-in-need-of-supervision; disposition. |
| 4-402 | Treatment plan. | 4-412 | Delinquent child; disposition. |
| 4-403 | Dispositional hearing. | 4-413 | Legal custody; guardianship. |
| 4-404 | Hearing purpose. | 4-414 | Probation for delinquents and children in need of supervision. |
| 4-405 | Hearing informal. | 4-415 | Violation of probation. |
| 4-406 | Medical examination. | 4-416 | New hearing authorized. |
| 4-407 | Continuance. | 4-417 | Continuing jurisdiction. |
| 4-408 | Order of protection. | 4-418 | Permanency Hearings. |
| 4-409 | Placement preferences. | 4-419 | Guardianships as Recommended by the Department for permanence. |
| 4-410 | Neglected or dependent child or in-need-of-care; disposition. | 4-420 | Child Placement Review Committee. |

TITLE 4
ARTICLE 5
CHILD ABUSE

| | | | |
|-------|--|-------|--|
| 4-501 | Legislative purpose. | 4-508 | Action upon receipt of report. |
| 4-502 | Definitions. | 4-509 | Child protection teams. |
| 4-503 | Persons required to report child abuse or neglect. | 4-510 | Immunity from liability. |
| 4-504 | Required report of postmortem investigation. | 4-511 | Child abuse and child neglect diversion program. |
| 4-505 | Evidence of abuse. | 4-512 | Evidence not privileged. |
| 4-506 | Temporary protective custody. | 4-513 | Court proceedings; guardian ad litem. |
| 4-507 | Reporting procedures. | 4-514 | Central registry. |
| | | 4-515 | Confidentiality of records. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 4
ARTICLE 6
TERMINATION OF PARENTAL RIGHTS

| | | | |
|-------|--|-------|---|
| 4-601 | Motion for termination of parental rights. | 4-609 | Review of child's disposition following termination of the parent-child legal relationship. |
| 4-602 | Appointment of counsel. | | |
| 4-603 | No jury trial. | | |
| 4-604 | Abandonment. | 4-610 | Expert testimony. |
| 4-605 | Criteria for termination. | 4-611 | Effect of decree. |
| 4-606 | Standard of proof. | 4-612 | Appeals. |
| 4-607 | Voluntary termination of parental rights. | 4-613 | Traditional custodians' and grandparents' rights. |
| 4-608 | Interpreter for relinquishment of parental rights and consent to adoption. | | |

TITLE 4
ARTICLE 7
ADOPTIONS

| | | | |
|-------|--|-------|---|
| 4-701 | Jurisdiction over adoptions. | 4-712 | Petition. |
| 4-702 | Purpose of adoptions. | 4-713 | Investigation. |
| 4-703 | Types of adoptions. | 4-714 | Adoption hearing. |
| 4-704 | In-camera determination of enrollment eligibility. | 4-715 | Report and final decree of adoption. |
| 4-705 | Eligibility for statutory adoption. | 4-716 | Contents of adoption order. |
| 4-706 | Eligibility to adopt by statutory process. | 4-717 | Effect of final decree of statutory adoption. |
| 4-707 | Consent to statutory adoption. | 4-718 | Records and hearings confidential. |
| 4-708 | Voluntary relinquishment. | 4-719 | Certificates of adoption. |
| 4-709 | When consent of parents unnecessary. | 4-720 | Foreign decree. |
| 4-710 | Notice of hearing for adoption without consent. | 4-721 | Adoption of adults. |
| 4-711 | Consent of child. | 4-722 | Appeals. |
| | | 4-723 | Customary Adoptions. |

TITLE 4
ARTICLE 8
DEVELOPING FOSTER CARE HOMES

| | | | |
|-------|--|-------|-----------------------------|
| 4-801 | Responsibility. | 4-806 | Physical facilities. |
| 4-802 | Licensing foster family homes. | 4-807 | Family composition. |
| 4-803 | Basic standard for foster families. | 4-808 | Personal characteristics. |
| 4-804 | Basic requirements of foster families. | 4-809 | Foster parenting abilities. |
| 4-805 | Funding for foster children's needs. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 4
ARTICLE 9
INCOME WITHHOLDING FOR CHILD SUPPORT ACT
(Repealed 2008) [TCR 08-79]

TITLE 4
ARTICLE 10
RULES OF JUVENILE PROCEDURE

| | | | |
|---------|---|---------|---|
| Rule 1 | Scope. | Rule 23 | Termination of parental rights hearing. |
| Rule 2 | Purpose and construction. | Rule 24 | Record of proceedings. |
| Rule 3 | Attorney or advocate of record. | Rule 25 | Motions for a new trial or rehearing. |
| Rule 4 | Notice. | Rule 26 | Motions for arrest or modification of judgment. |
| Rule 5 | Service of summons. | Rule 27 | Shelter and detention. |
| Rule 6 | Summons form. | Rule 28 | Disqualification or disability of judge. |
| Rule 7 | When summons unnecessary. | Rule 29 | Evidence. |
| Rule 8 | Additional parties to be summoned. | Rule 30 | Clerical mistakes. |
| Rule 9 | Failure to appear. | Rule 31 | Explanation of rights at first appearance (juvenile offenders); child-in-need-of supervision. |
| Rule 10 | Petition contents. | Rule 32 | Insanity at time of commission of juvenile offense. |
| Rule 11 | Petition form. | Rule 33 | Determination of competency or capacity to stand trial. |
| Rule 12 | Adoption petition. | Rule 34 | Fingerprinting or photographing of minor. |
| Rule 13 | Juvenile offender commencement of action petition. | Rule 35 | Mental or physical examination. |
| Rule 14 | Responsive pleadings and motions. | Rule 36 | Probation revocation hearing. |
| Rule 15 | Parties. | Rule 37 | Dispositional hearing. |
| Rule 16 | Discovery. | Rule 38 | Appeals. |
| Rule 17 | Pre-trial conference. | Rule 39 | Stay pending appeal |
| Rule 18 | Emergency orders. | | |
| Rule 19 | Hearings. | | |
| Rule 20 | Adoption hearing. | | |
| Rule 21 | Dependency and neglect and child-in-need-of-care dispositional hearing. | | |
| Rule 22 | Jury Trial. | | |

TITLE 4
ARTICLE 11
GRANDPARENT RIGHTS
(As adopted August 28, 2015)

| | | | |
|--------|---------------------------|--------|---|
| 4-1101 | Purpose. | 4-1107 | Change of Grandchild's Domicile; Notice to Grandparent. |
| 4-1102 | Application. | 4-1108 | Emergency Medical Care and Grandparent Medical Consent. |
| 4-1103 | Scope. | 4-1109 | Grandparent Medical Consent Authorization Affidavit. |
| 4-1104 | Grandparent Notification. | | |
| 4-1105 | Grandparent Input. | | |
| 4-1106 | Grandparent Visitation. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 5
TRIBAL GOVERNMENT

ARTICLE 1
ENROLLMENT

(As amended and restated August 22, 2012)

| | | | |
|-------|---|-------|--|
| 5-100 | Definitions. | 5-114 | Individual folders; contents of individual folder. |
| 5-101 | Tribal Enrollment Committee. | 5-115 | Access to records. |
| 5-102 | Determination of membership, enrollment. | 5-116 | Updating records. |
| 5-103 | Application for membership by member of another tribe. | 5-117 | Determination of blood quantum. |
| 5-104 | Enrollment application; who must submit. | 5-118 | Blood quantum corrections; administrative actions; persons found to be ineligible. |
| 5-105 | Filing of enrollment application. | 5-119 | Enrollment of persons without an enrolled parent. |
| 5-106 | Enrollment application for minor, incompetent person, some United States Armed Forces members. | 5-120 | Relinquishment of an adult. |
| 5-107 | Enrollment application; information and supporting documentation requirements; burden of proof. | 5-121 | Prohibition on relinquishment of a minor. |
| 5-108 | Actions required of the Enrollment Staff. | 5-122 | False information; fraudulent acts; otherwise ineligible. |
| 5-109 | Actions required of the TEC. | 5-123 | Disenrollment. |
| 5-110 | Actions required of the Tribal Council. | 5-124 | Amendment procedures. |
| 5-111 | Applicants determined ineligible by the TEC. | 5-125 | Tribal Member Identification; Certification of Blood Quantum |
| 5-112 | Rejection of application by the Tribal Council; membership appeals. | 5-126 | Use of Fingerprint Reader. |
| 5-113 | Distribution of trust assets or other Financial Benefits; appeals. | 5-127 | Claiming financial or other benefits on behalf of another tribal member. |
| | | 5-128 | Indian Child Welfare Act (“ICWA”) cases. |
| | | 5-129 | Notices issued to last known address. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 5
ARTICLE 2
ELECTIONS
(As revised March 20, 2025)

| | |
|---|--|
| 5-201 Eligible Voters. | 5-215 Absentee Ballots for Primary Elections. |
| 5-202 Election Board. | 5-216 Primary Election. |
| 5-203 Notice of Election. | 5-217 Write-In Candidates as Qualified Candidates. |
| 5-204 Qualification of Candidates. | 5-218 Absentee Ballots for General Election. |
| 5-205 Ballots. | 5-219 General Election. |
| 5-206 Absentee Ballots. | 5-220 Term of Office. |
| 5-207 Conduct of Elections. | 5-221 Runoff Election. |
| 5-208 Polling Place. | 5-222 Certification and Oath of Office. |
| 5-209 Conduct of Election Officials. | 5-223 Election Code Amendments. |
| 5-210 Campaigning. | 5-224 Emergencies. |
| 5-211 Intoxication. | 5-225 Unexpired Seats on the Ballot. |
| 5-212 Loitering. | 5-226 Special Election to Determine Qualified Individual to Fill a Vacancy. |
| 5-213 Election Tampering. | 5-227 Forms. |
| 5-214 Placement on Primary Election Ballot. | |

TITLE 5
ARTICLE 3
[Reserved]

TITLE 5
ARTICLE 4
REPEALED

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
CIVIL TRAFFIC CODE
(As amended August 27, 2003)

ARTICLE 1
GENERAL PROVISIONS

| | | | |
|-------|--|-------|---|
| 6-101 | Purpose. | 6-105 | Severability. |
| 6-102 | Construction of Rules. | 6-106 | Violations; civil violation. |
| 6-103 | References to the law of the State of Nebraska incorporated. | 6-107 | Peace officers; duty to enforce rules and laws; powers. |
| 6-104 | Inappropriate references to be given a common sense meaning. | 6-108 | Civil penalties. |

TITLE 6
ARTICLE 2
PROCEDURES

| | | | |
|-------|--|-------|--|
| 6-201 | Enforcement; citation; complaint; contents; procedure. | 6-203 | Person charged with traffic infraction; citation; conditions; penalty. |
| 6-202 | Civil penalty and costs; failure to pay; judgment; installments. | | |

TITLE 6
ARTICLE 3
LICENSING, REGISTRATION AND VEHICLE REQUIREMENTS

| | | | |
|-------|---|-------|--|
| 6-301 | Motor vehicle registration. | 6-305 | Operator's license. |
| 6-302 | Operation of unregistered motor vehicle; penalty. | 6-306 | Violation of operator's license requirements; penalty. |
| 6-303 | Motor vehicle title. | | |
| 6-304 | Violation of motor vehicle title requirements; penalty. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
ARTICLE 4
MOVING TRAFFIC

| | | | |
|-------|---|-------|--|
| 6-401 | Obedience to traffic control devices; exceptions. | 6-425 | Basic rule; speed. |
| 6-402 | Traffic control signals; meaning; turns on red signal; when. | 6-426 | Speed; maximum limits; signs. |
| 6-403 | Pedestrian-control signals. | 6-427 | Special speed limitations; motor vehicle towing a mobile home; school buses; motor-driven cycle. |
| 6-404 | Flashing signals; exception. | 6-428 | Speed determination; use of speed measurement devices; requirements; apprehension of driver; when. |
| 6-405 | Driving on right half of roadway required; exceptions. | 6-429 | Minimum speed regulation; impeding traffic. |
| 6-406 | Vehicles proceeding in opposite direction; passing. | 6-430 | Charging violations of speed regulation; summons; burden of proof; elements of offense. |
| 6-407 | Overtaking and passing rules; vehicles proceeding in same direction. | 6-431 | Racing on highways; violation; penalty. |
| 6-408 | Overtaking and passing upon the right; when permitted. | 6-432 | Driving under influence of alcoholic liquor or drug; penalties. |
| 6-409 | Limitations on overtaking and passing on the left; precautions required; return to right side of highway. | 6-433 | Driving under influence of alcoholic liquor or drugs; implied consent to submit to chemical test; when test administered; refusal; penalty. |
| 6-410 | Limitations on overtaking, passing, or driving to the left of the center of roadway; when prohibited. | 6-434 | Driving under influence of alcoholic liquor or drugs; test; additional rest; refusal to permit; effect; results of test; available upon request. |
| 6-411 | No-passing zones; exception. | 6-435 | Driving under influence of alcoholic liquor or drugs; chemical test; consent of person incapable of refusal not withdrawn. |
| 6-412 | One-way roadways and rotary traffic islands; jurisdiction; exception for emergency vehicles. | 6-436 | Driving under influence of alcoholic liquor or drugs; chemical test; violation of statute or ordinance; results; competent evidence. |
| 6-413 | Driving on roadways laned for traffic; rules; traffic control devices. | 6-437 | Blood sample; results of chemical test; admissible in civil proceeding; disclosure required. |
| 6-414 | Following vehicles; restrictions. | 6-438 | Person under twenty-one years of age; prohibited acts; enforcement. |
| 6-415 | Driving on divided highways; driving on median prohibited; exceptions. | 6-439 | Implied consent to submit to chemical test; when test administered; refusal; penalty. |
| 6-416 | Driving on highway shoulders prohibited; exceptions. | 6-440 | Careless driving, defined; penalty. |
| 6-417 | Controlled-access highway; entrances; exits. | 6-441 | Reckless driving, defined; penalty. |
| 6-418 | Vehicles approaching or entering intersection at same time; right-of-way; entering a highway or roadway. | 6-442 | Willful reckless driving, defined. |
| 6-419 | Vehicle turning left; yield right-of-way. | 6-443 | Willfull reckless driving; penalty. |
| 6-420 | Preferential right-of-way; stop and yield signs. | 6-444 | Winnebago brake and turn signal law. |
| 6-421 | Vehicle entering roadway from private road or driveway; yield right-of-way. | 6-445 | Turn signals and signals given by hand and arm. |
| 6-422 | Moving a stopped, standing, or parked vehicle; yield right-of-way. | 6-446 | Hand and arm signals; how given. |
| 6-423 | Operation of vehicles upon the approach of emergency vehicles. | 6-447 | Brake and turn signal requirements. |
| 6-424 | Driving upon sidewalk; prohibited; exception. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
ARTICLE 5
NON-MOVING TRAFFIC

| | | | |
|-------|---|-------|---|
| 6-501 | Pedestrian obedience to traffic control devices and regulations. | 6-508 | Stopping, standing, or parking prohibited; exceptions. |
| 6-502 | Pedestrians' right-of-way in crosswalk; traffic control devices. | 6-509 | Parking regulations; signs; control by local authority. |
| 6-503 | Crossing at other than crosswalks; yield right-of-way. | 6-510 | Unattended motor vehicles; conditions. |
| 6-504 | Pedestrians on highways and roadways; sidewalks and shoulders. | 6-511 | Overloading front seat or obstructing driver; prohibited. |
| 6-505 | Pedestrians soliciting rides or business; prohibited acts. | 6-512 | Opening and closing vehicle doors; restriction. |
| 6-506 | Stopping, parking, or standing upon a roadway or bridge; limitations. | 6-513 | Traveling on a downgrade; gears; position. |
| 6-507 | Persons authorized to remove vehicles; cost of removal; lien. | 6-514 | Following fire apparatus in response to an alarm; prohibited. |
| | | 6-515 | Restrictions on driving over unprotected fire hose. |

TITLE 6
ARTICLE 6
HIGHWAYS, ROADS AND BRIDGES

| | | | |
|-------|---|-------|---|
| 6-601 | Removal of traffic hazards; determined by local authority; violation; penalty. | 6-605 | Hunting, trapping, or molesting predatory animal on or from roadway; prohibited, exception; violation; penalty. |
| 6-602 | Depositing materials on roads or ditches; penalties. | 6-606 | Advertising signs, displays, or devices; permitted signs enumerated. |
| 6-603 | Rubbish on highways or roads; prohibited; signs; enforcement; violation; penalties. | | |
| 6-604 | Camping; permitted; where; violation; penalty. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
ARTICLE 7
VEHICLE AND TRAFFIC SAFETY

- 6-701 Peace officers; investigation of traffic accident; duty to report; Department of Roads; powers; duties.
- 6-702 Accidents; reports required of operators and owners; when; supplemental reports; reports of peace officers open to public inspection; limitation on use as evidence; violation; penalty.
- 6-703 Accidents; reports required of garages and repair shops.
- 6-704 Accidents; coroner; report to Nebraska Department of Roads.
- 6-705 Accident; death; driver; pedestrian sixteen years or older; coroner; examine body; amount of alcohol or drugs; report to Department of Roads; public information.
- 6-706 Accident; driver or pedestrian sixteen years of age or older; person killed; submit to chemical test; results in writing to Director-State Engineer; public information.
- 6-707 Accidents; body fluid; samples; test; report.
- 6-708 Roadway; removal of dead or injured persons; peace officer.
- 6-709 Roadways, travel on; regulation by local authorities; when authorized; signs.
- 6-710 Display of unauthorized signs, signals, or markings; public nuisance; removal.
- 6-711 Advertising devices adjacent to highway; when prohibited; public nuisance; removal.
- 6-712 Required obedience to traffic laws; private property used for public road by consent of owner; provisions uniform throughout the Reservation.
- 6-713 Drivers to exercise due care with pedestrian; audible signal.
- 6-714 Obedience to peace officers; violation; penalty.
- 6-715 Failing to observe a blind person; penalty.
- 6-716 Persons riding animals or driving animal drawn vehicles; farm implements; duties.
- 6-717 Interference with official traffic control devices or railroad signs or signals;
- 6-718 Signs, markers, devices, or notices; prohibited acts; penalty.
- 6-719 Motor vehicle; motorcycle; lights; requirements; prohibited acts.
- 6-720 Lights; vehicle being driven.
- 6-721 Headlights; construction; adjustment; requirements.
- 6-722 Violations; penalty.
- 6-723 Acetylene headlights; number; construction; requirements.
- 6-724 Headlights; glare; duty of operator; penalty.
- 6-725 Spotlights; auxiliary driving lights; signal lights; other devices; intensity and direction.
- 6-726 Parking lights; unlawful use.
- 6-727 Vehicle proceeding in forward motion; backup lights on; prohibited; violation; penalty.
- 6-728 Lights, red or green, in front of vehicle prohibited; exceptions.
- 6-729 Lights; rotating or flashing; colored lights; when permitted.
- 6-730 Flashing or rotating lights; emergency vehicles; colors permitted.
- 6-731 Rotating or flashing amber light; when permitted.
- 6-732 Rotating or flashing red light or red and blue lights; when permitted; application; permit; expiration.
- 6-733 Rotating or flashing lights; violation; penalty.
- 6-734 Clearance lights; requirements; substitution; violations; penalty.
- 6-735 Vehicles required to have clearance lights; flares; reflectors; when required as equipment.
- 6-736 Vehicles required to have clearance lights; flares; reflectors; how and when displayed.
- 6-737 Vehicles; red flags; red emergency reflectors; when required as equipment; how and when displayed.

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
ARTICLE 7
VEHICLE AND TRAFFIC SAFETY
(continued)

- | | | | |
|-------|--|-------|---|
| 6-738 | Clearance lights, flares, and reflector requirements; violations; penalty. | 6-756 | Child passenger; use restraint system or occupant protection system; when; information and education program. |
| 6-739 | Removing flares or flags; penalty. | 6-757 | Child passenger restraint requirements; violations; penalty; defense. |
| 6-740 | Vehicles; slow moving; emblem required; when used. | 6-758 | Violation of child passenger restraint requirements; how construed. |
| 6-741 | Vehicles; slow moving; emblem; how equipped; penalty. | 6-759 | Occupant protection system; use required; when; exceptions. |
| 6-742 | Load projecting to rear; red flag or red light required. | 6-760 | Enforcement of occupant protection system requirements; when. |
| 6-743 | Motor vehicles; brakes; requirements. | 6-761 | Occupant protection system; violation; penalty. |
| 6-744 | Trailers; brake requirements; safety chains; when required. | 6-762 | Occupant protection system violation; evidence; when admissible. |
| 6-745 | Trucks and buses; brake requirements; violation; penalty. | 6-763 | Limitations on backing vehicles. |
| 6-746 | Hydraulic brake fluids; requirements; violation; penalty. | 6-764 | Obedience to signal indicating approach of train; prohibited acts. |
| 6-747 | Tires; requirements; cleats or projections prohibited; exceptions; permissive uses; special permits; exceptions. | 6-765 | Buses and school buses required to stop at all railroad grade crossings; exceptions. |
| 6-748 | Trucks; rearview mirror. | 6-766 | Grade crossings; certain carriers; required to stop; exceptions. |
| 6-749 | Operator; view to rear required; outside mirrors authorized. | 6-767 | School bus; safety requirements; use of stop signal arm; use of warning signal lights; violations; penalty. |
| 6-750 | Windshield and windows; nontransparent material prohibited; windshield equipment; requirements. | 6-768 | Splash aprons; requirements; violation; penalty. |
| 6-751 | Safety glass, defined. | 6-769 | Towing; drawbars or other connections; length; red flag required, when. |
| 6-752 | Safety glass; requirements; vehicles built after January 1, 1935; motorcycle windshield; requirements; violation; penalty. | 6-770 | Horn; requirements; prohibited acts. |
| 6-753 | Violation by common carrier; permit revoked or suspended. | 6-771 | Muffler or noise-suppressing system; prevention of fumes and smoke; requirements. |
| 6-754 | Occupant protection systems. | 6-772 | Television set; equipping motor vehicle with screen visible to driver; penalty. |
| 6-755 | Occupant protection system; 1973 year model and later motor vehicles; requirements; violation; penalty. | | |
-

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 6
ARTICLE 8
MISCELLANEOUS

| | | | |
|-------|---|-------|--|
| 6-801 | Motor vehicle owner or operator; liability to guest passenger; limitation. | 6-821 | All-terrain vehicle; competitive events; exemptions. |
| 6-802 | Leased trucks, truck-tractors, and trailers; liability of owner for damages. | 6-822 | All-terrain vehicle; accident; report required. |
| 6-803 | Operating a motor vehicle or a vessel to avoid arrest; penalty. | 6-823 | Snowmobiles; registration required. |
| 6-804 | Winnebago Traffic Code; applicability to persons operating motorcycles. | 6-824 | Snowmobile operation; equipment; permission of landowner. |
| 6-805 | Restrictions on operating motorcycles. | 6-825 | Snowmobile contests; requirements. |
| 6-806 | Operating motorcycles on roadways laned for traffic; prohibited acts. | 6-826 | Snowmobiles; prohibited acts. |
| 6-807 | Moped; operation; license or permit; required. | 6-827 | Snowmobile; operation; muffler, when required. |
| 6-808 | Moped; operator; Winnebago Traffic Code; applicable. | 6-828 | Operation by person under twelve years of age; operation by a person under sixteen; restrictions; snowmobile safety certificate. |
| 6-809 | Moped; restrictions on operation. | 6-829 | Snowmobile owner; prohibited acts. |
| 6-810 | Operating mopeds on roadways laned for traffic; prohibited acts. | 6-830 | Snowmobiles; carrying firearms; hunting; unlawful. |
| 6-811 | Winnebago Traffic Code; applicability to persons operating bicycles. | 6-831 | Snowmobile; confiscation; sale; proceeds; disposition. |
| 6-812 | Riding of bicycles; prohibited acts. | 6-832 | Snowmobile operation; accident; requirements. |
| 6-813 | Bicycles on roadways and bicycle paths; general rules; regulation by local authority. | 6-833 | Legislative intent. |
| 6-814 | Equipment on bicycles; lights; brakes. | 6-834 | Minibikes; operation; violations; penalty; unlawful acts. |
| 6-815 | Bicycles; reflective device or material; retail sale; requirements; violation; penalty. | 6-835 | Radar transmission device; definitions. |
| 6-816 | All-terrain vehicle, defined. | 6-836 | Radar transmission device; operation; possession; unlawful; violation; penalty. |
| 6-817 | All-terrain vehicle; operation. | 6-837 | Authorized devices. |
| 6-818 | All-terrain vehicle; lights required; when. | 6-838 | Prohibited device; seizure; disposal. |
| 6-819 | All-terrain vehicle; equipment required. | 6-839 | Abandoned motor vehicle, defined. |
| 6-820 | Modification of all-terrain vehicle; prohibited. | 6-840 | Abandoned motor vehicle; title; vest in local authority; when. |

TITLE 6
ARTICLE 9
SPECIAL PROVISIONS APPLICABLE TO BIA ROUTE 17

| | | | |
|-------|--|-------|--|
| 6-901 | Applicability | 6-904 | Special Permit for Overweight Vehicles for BIA Route 17; |
| 6-902 | Gross vehicle weight limits established; violation; fines. | | violation; fine. |
| 6-903 | Failure to stop; violation; penalties. | 6-905 | Speed; violation; fine. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
HEALTH, SAFETY, AND WELFARE

ARTICLE 1
MENTAL HEALTH COMMITMENT ACT
(As revised October 16, 2013)

| | | | |
|-------|--------------|-------|-------------------------------|
| 7-101 | Definitions. | 7-104 | Hearing On The Petition. |
| 7-102 | Petition. | 7-105 | Disposition. |
| 7-103 | Counsel. | 7-106 | Emergency Protective Custody. |

TITLE 7
ARTICLE 3
ANIMALS
(Revised March 9, 2011)

| | | | |
|-------|--|-------|---|
| 7-300 | Definitions. | 7-327 | Nuisance animals. |
| 7-301 | Offices designated. | 7-328 | Dangerous animals. |
| 7-302 | Licensing of dogs and cats. | 7-329 | Determination of vicious animal, dangerous animal, potentially dangerous animal; notice to owner. |
| 7-303 | Breeder of Kennel permits. | 7-330 | Vicious dogs. |
| 7-304 | Rabies certification of vaccination required. | 7-331 | Appeal procedure. |
| 7-305 | Fee waiver. | 7-332 | Requirements for dangerous animals; penalties. |
| 7-306 | Display of tag. | 7-333 | Animal fighting or attack training; penalty. |
| 7-307 | Transfer or change of ownership. | 7-334 | Keeping of innately wild animals. |
| 7-308 | Duplicate tag. | 7-335 | Wildlife protection. |
| 7-309 | Removal of license tags. | 7-336 | Keeping of exotic animals. |
| 7-310 | At large prohibited. | 7-337 | Keeping of livestock. |
| 7-311 | Spay and Neuter. | 7-338 | Keeping of animals for which no licensed, approved rabies vaccine is available. |
| 7-312 | Impoundment and ticketing. | 7-339 | Kennel standards. |
| 7-313 | Disposition of animals. | 7-340 | Harboring of strays. |
| 7-314 | General prohibitions and duties. | 7-341 | Trapping animals. |
| 7-315 | Animal care; animal cruelty. | 7-342 | Rabies reports; examination; quarantine. |
| 7-316 | Release or adoption of animals. | 7-343 | Civil liability of owner for damages caused by the owner's dog, cat or other domesticated animal. |
| 7-317 | Release of unsterilized animals. | 7-344 | Sovereign immunity of the Tribe. |
| 7-318 | Number of animals. | 7-345 | Penalties. |
| 7-319 | Non-indigenous birds. | | |
| 7-320 | Impoundment fees. | | |
| 7-321 | Redemption. | | |
| 7-322 | Injured animals at large. | | |
| 7-323 | Confinement of animals. | | |
| 7-324 | Dog pens. | | |
| 7-325 | Conditions of pens and premises. | | |
| 7-326 | Animal bites. | | |

WINNEBAGO TRIBAL CODE
TITLE 7

TITLE 7
ARTICLE 4
OPEN BURNING

| | | | |
|-------|------------------------------|-------|-------------------|
| 7-401 | Definitions. | 7-404 | Trash containers. |
| 7-402 | Open burning. | 7-405 | Penalty. |
| 7-403 | Prohibition on open burning. | | |

TITLE 7
ARTICLE 5
BURNING OF PETROLEUM PRODUCTS

| | | | |
|-------|--------------------------------|-------|----------|
| 7-501 | Definitions. | 7-503 | Penalty. |
| 7-502 | Burning of petroleum products. | | |

TITLE 7
ARTICLE 6
OPEN DUMPING

| | | | |
|-------|---------------|-------|----------------------|
| 7-601 | Definitions. | 7-603 | Containment Dumping. |
| 7-602 | Open dumping. | 7-604 | Penalty. |

TITLE 7
ARTICLE 8
COMPULSORY EDUCATION

| | | | |
|-------|--|-------|---|
| 7-801 | Compulsory Education; attendance required. | 7-807 | Entry or withdrawal of student; attendance reports. |
| 7-802 | Violation. | 7-808 | Non-attendance; duty to report; investigation. |
| 7-803 | Compulsory Education, exceptions. | 7-809 | Excessive absenteeism; report. |
| 7-804 | General Equivalency Diploma Program. | 7-810 | Collaborative plan; considerations. |
| 7-805 | Record of attendance; made where. | 7-811 | School procedures. |
| 7-806 | Non-attendance lists; transmission of information. | 7-812 | Progressive Discipline. |
| | | 7-813 | Effective date. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 9
FOOD CODE

| | | | |
|-------|--|-------|---|
| 7-901 | Food Code. | 7-924 | Surface Characteristics. |
| 7-902 | Food safety, illness prevention and honest presentation. | 7-925 | Handwashing Cleanser, Availability. |
| 7-903 | Statement. | 7-926 | Mechanical. |
| 7-904 | Statement of application and listing of terms. | 7-927 | Maintaining Premises, Unnecessary Items and Litter. |
| 7-905 | Person in Charge. | 7-928 | Prohibiting Animals. |
| 7-906 | Clean Condition. | 7-929 | Separation of poisonous or toxic materials. |
| 7-907 | Cleaning Procedure. | 7-930 | Poisonous or toxic materials; Restriction. |
| 7-908 | When to Wash. | 7-931 | Conditions of Use. |
| 7-909 | Clean Condition. | 7-932 | Rodent Bait Stations. |
| 7-910 | Eating, Drinking, or Using Tobacco. | 7-933 | Public Health Protection. |
| 7-911 | Discharge from the Eyes, Nose or Mouth. | 7-934 | Preventing Health Hazards, Provisions for Conditions Not Addressed. |
| 7-912 | Food. | 7-935 | Modifications and Waivers. |
| 7-913 | Characteristics. | 7-936 | Prerequisite for Operation. |
| 7-914 | Nonfood-Contact Surfaces. | 7-937 | Form of Submission. |
| 7-915 | Equipment and Utensils. | 7-938 | Qualifications and Responsibilities of Applicants. |
| 7-916 | Food-Contact Surfaces. | 7-939 | Contents of Application. |
| 7-917 | Nonfood-Contact Surfaces. | 7-940 | Existing Establishments, Permit Renewal, and Change of Ownership. |
| 7-918 | Approved System. | 7-941 | Denial of Application for Permit, Notice. |
| 7-919 | Outdoor Enclosure. | 7-942 | Revocation. |
| 7-920 | Receptacles. | 7-943 | Appeal. |
| 7-921 | Outside Receptacles. | 7-944 | Responsibilities of Permit Holder. |
| 7-922 | Storing Refuse, Recyclables, and Returnables. | | |
| 7-923 | Areas, Enclosures, and Receptacles, Good Repair. | | |

TITLE 7
ARTICLE 10
CORONER

| | | | |
|--------|--|--------|--|
| 7-1000 | Appointment of coroner; qualifications; vacancies. | 7-1007 | Burial. |
| 7-1001 | Investigations and inquests. | 7-1008 | Bodies; effects; custody. |
| 7-1002 | Expenses. | 7-1009 | Certificates of death. |
| 7-1003 | Witnesses; fees. | 7-1010 | Expenses. |
| 7-1004 | Oath of witnesses. | 7-1011 | Fingerprinting of unidentified deceased person. |
| 7-1005 | Testimony; filing. | 7-1012 | Coroner removal of pituitary gland during autopsy. |
| 7-1006 | Witness bound over; return. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 11
WINNEBAGO DRUG-FREE WORK PLACE
(Revised June 13, 2012)

| | | | |
|--------|---|--------|-----------------------------|
| 7-1101 | Citation. | 7-1110 | Drug test results. |
| 7-1102 | Purpose. | 7-1111 | Alcohol test results. |
| 7-1103 | Definitions. | 7-1112 | Refusal to submit. |
| 7-1104 | Statement of policy on drugs. | 7-1113 | Positive test results. |
| 7-1105 | Statement of policy on alcohol. | 7-1114 | Release of test results. |
| 7-1106 | Zero tolerance policy. | 7-1115 | Laboratory facility. |
| 7-1107 | Education and training of employees. | 7-1116 | Applicants; generally. |
| 7-1108 | Drug and alcohol testing procedures; reasonable suspicion. | 7-1117 | Prohibited acts; penalties. |
| 7-1109 | Random drug and alcohol testing. | 7-1118 | Supervisor responsibility. |
| | | 7-1119 | Consent to jurisdiction. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 12
WINNEBAGO WORKER'S COMPENSATION

| | | | |
|--------|---|--------|--|
| 7-1201 | Purpose. | 7-1226 | Defenses to Liability Denied. |
| 7-1202 | Effective Date. | 7-1227 | Average Weekly Wage. |
| 7-1203 | Scope and Exclusive Remedy. | 7-1228 | Maximum and Minimum Weekly Benefits. |
| 7-1204 | Sovereign Immunity. | | |
| 7-1205 | Acknowledgment of Program and Notice to Covered Employees. | 7-1229 | Compensation; Schedule; Total Partial, and Temporary Disability; Injury to Specific Parts of the Body; Amounts and Duration of Payments. |
| 7-1206 | Definitions. | | |
| 7-1207 | Notice of Injury to Employer & Filing of Claim with Administrator. | | |
| 7-1208 | Administrator. | 7-1230 | Exclusions from Coverage. |
| 7-1209 | Time Limit for Filing of Claim. | 7-1231 | Waiting Period for Benefits. |
| 7-1210 | Medical Treatment of Covered Employee. | 7-1232 | Injuries Causing Death. |
| 7-1211 | Independent Medical Examination. | 7-1233 | Computation of Payments of Death Benefits. |
| 7-1212 | Effect of Refusal or Obstruction of Examination or Treatment. | 7-1234 | Death Benefit Compensation Schedule. |
| 7-1213 | Access to Medical Records and Medical Reports. | 7-1235 | Death of Covered Employee Ends Disability Payments. |
| 7-1214 | Aggravation of Pre-existing Injury. | 7-1236 | Burial Expenses. |
| 7-1215 | Disclosure of Pre-existing Disabilities. | 7-1237 | Waiting Time Penalty. |
| 7-1216 | False Statement or Representation in Employment Application. | 7-1238 | Worker's Compensation Appeals Committee. |
| 7-1217 | Benefits Mistakenly Awarded by Administrator. | 7-1239 | Procedures for Disputed Claims. |
| 7-1218 | Benefits Mistakenly Awarded by the Worker's Compensation Appeals Committee. | 7-1240 | Hearing Request Procedures. |
| 7-1219 | Benefits Induced by Proven Fraud. | 7-1241 | Experts. |
| 7-1220 | Right to Occupational Injury Benefits. | 7-1242 | Liability of Third Person to Injured Covered Employee; Subrogation Powers. |
| 7-1221 | Employer's Liability to Medical, Surgical and Hospital Services. | 7-1243 | Third Party Claim Procedures and Notice. |
| 7-1222 | Selection of Treating Physician by Administrator. | 7-1244 | Third Party Claims & Attorney Fees. |
| 7-1223 | Return to Work Form. | 7-1245 | Third Party Claims; Settlement Requirements. |
| 7-1224 | Waiver by Covered Employee Invalid. | 7-1246 | Awards. |
| 7-1225 | Other Benefits Not Factors. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 13
FLOOD DAMAGE PREVENTION CODE
(Revised July 17, 2024)

| | | | |
|--------|--|--------|---|
| 7-1301 | Statutory Authorization. | 7-1312 | Establishment of Development Permits. |
| 7-1302 | Findings of Fact. | 7-1313 | Administrator. |
| 7-1303 | Statement of Purpose. | 7-1314 | Duties and Responsibilities of the Administrator. |
| 7-1304 | Methods of Reducing Flood Losses. | 7-1315 | Variance Procedures. |
| 7-1305 | Definitions. | 7-1316 | General Standards for Flood Hazard Reduction. |
| 7-1306 | Land to Which This Article Applies. | 7-1317 | Specific Standards for Flood Hazard Reduction. |
| 7-1307 | Basis for Establishing the Area of Special Flood Hazard. | 7-1318 | Before Regulatory Floodway. |
| 7-1308 | Penalties for Non-Compliance. | 7-1319 | Floodways. |
| 7-1309 | Abrogation of Greater Restrictions. | | |
| 7-1310 | Interpretation. | | |
| 7-1311 | Warning and Disclaimer of Liability. | | |

TITLE 7
ARTICLE 14
WINNEBAGO POLLUTION CONTROL CODE

| | | | |
|----------|--|--------|--|
| 7-1400 | Citation. | 7-1409 | Authority to issue penalty orders. |
| 7-1401 | Definitions. | 7-1410 | Amount of penalty; considerations. |
| 7-1402 | Pollution emissions and abatement. | 7-1411 | Corrective order. |
| 7-1402.1 | Abatement required. | 7-1412 | Definitions. |
| 7-1403 | Exemption. | 7-1413 | PCB: prohibited use. |
| 7-1404 | Use of notification. | 7-1414 | Definitions. |
| 7-1405 | Notification and approval of potential emission facility. | 7-1415 | Exemptions. |
| 7-1406 | Livestock feedlots. | 7-1416 | Monitoring. |
| 7-1407 | Cause of action for abandonment of hazardous waste on property of another. | 7-1417 | Contents labeled. |
| 7-1408 | Livestock odor. | 7-1418 | Environmental protection requirements. |

TITLE 7
ARTICLE 15
LANDLORD TENANT RELATIONS

| | | | |
|--------|--|--------|---------------------------------------|
| 7-1501 | Applicability. | 7-1507 | Termination. |
| 7-1502 | Definitions. | 7-1508 | Rights and Obligations of Landlord. |
| 7-1503 | Rental Agreement. | 7-1509 | The Rights and Obligations of Tenant. |
| 7-1504 | Security Deposit. | 7-1510 | Landlord Remedies. |
| 7-1505 | Eviction for Possession of a Controlled Substance. | 7-1511 | Tenant Remedies. |
| 7-1506 | Utilities and Waste Disposal. | 7-1512 | Notification. |
| | | 7-1513 | Winnebago Tribal Housing Committee. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 16
SEX OFFENDER REGISTRATION
(Adopted May 25, 2011)

| | | | |
|--------|--|--------|---|
| 7-1601 | Citation. | 7-1641 | School. |
| 7-1602 | Purpose and Legislative Intent. | 7-1642 | Social Security Number. |
| 7-1603 | Effective Date. | 7-1643 | Temporary lodging. |
| 7-1604 | Construction of rules. | 7-1644 | Vehicle information. |
| 7-1605 | References to federal law incorporated. | 7-1645 | Frequency. |
| 7-1606 | Creation of Sex Offender Registry. | 7-1646 | Reduction of registration periods. |
| 7-1607 | Creation of public Sex Offender Registry website. | 7-1647 | Clean record. |
| 7-1608 | Cooperative Agreement with the State of Nebraska permitted. | 7-1648 | Requirements for in person appearances. |
| 7-1609 | Definitions. | 7-1649 | Where registration is required; jurisdiction of conviction. |
| 7-1610 | Covered offenses. | 7-1650 | Where registration is required; jurisdiction of incarceration. |
| 7-1611 | Tier 1 offenses; sex offenses. | 7-1651 | Where registration is required; jurisdiction of residence. |
| 7-1612 | Tier 1 offenses; offenses involving minors. | 7-1652 | Where registration is required; jurisdiction of employment. |
| 7-1613 | Tier 1 offenses; certain tribal offenses. | 7-1653 | Where registration is required; jurisdiction of school attendance. |
| 7-1614 | Tier 1 offenses; certain federal offenses. | 7-1654 | Where registration is required; jurisdiction of where may be found. |
| 7-1615 | Tier 1 offenses; certain military offenses. | 7-1655 | Timing of registration; timeframe. |
| 7-1616 | Tier 2 offenses; recidivism and felonies. | 7-1656 | Timing of registration; duties of Chief of Police. |
| 7-1617 | Tier 2 offenses; offenses involving minors. | 7-1657 | Retroactive registration. |
| 7-1618 | Tier 2 offenses; certain tribal offenses. | 7-1658 | Timing of recapture. |
| 7-1619 | Tier 2 offenses; certain federal offenses. | 7-1659 | Keeping registration current; jurisdiction of residency. |
| 7-1620 | Tier 2 offenses; certain military offenses. | 7-1660 | Keeping registration current; jurisdiction of school attendance. |
| 7-1621 | Tier 3 offenses; recidivism and felonies. | 7-1661 | Keeping registration current; jurisdiction of employment. |
| 7-1622 | Tier 3 offenses; general offenses. | 7-1662 | Keeping registration current; duties of Chief of Police. |
| 7-1623 | Tier 3 offenses; certain tribal offenses. | 7-1663 | Failure to appear for registration and absconding; failure to appear. |
| 7-1624 | Tier 3 offenses; certain federal offenses. | 7-1664 | Failure to appear for registration and absconding; absconded sex offenders. |
| 7-1625 | Tier 3 offenses; certain military offenses. | 7-1665 | Failure to appear for registration and absconding; failure to register. |
| 7-1626 | Required information; general requirements. | 7-1666 | Website. |
| 7-1627 | Criminal history. | 7-1667 | Dru Sjodin National Sex Offender Public Website. |
| 7-1628 | Date of Birth. | 7-1668 | Required website information. |
| 7-1629 | DNA sample. | 7-1669 | Prohibited website information. |
| 7-1630 | Driver's licenses, identification cards, passports, and immigration documents. | 7-1670 | Witness protection. |
| 7-1631 | Employment information. | 7-1671 | Law enforcement notification. |
| 7-1632 | Finger and palm prints. | | |
| 7-1633 | Internet identifiers. | | |
| 7-1634 | Name. | | |
| 7-1635 | Offense Information. | | |
| 7-1636 | Phone numbers. | | |
| 7-1637 | Picture. | | |
| 7-1638 | Physical description. | | |
| 7-1639 | Professional licensing information. | | |
| 7-1640 | Residence address. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 16
SEX OFFENDER REGISTRATION
(Adopted May 25, 2011)
(continued)

| | | | |
|--------|------------------------------|--------|--|
| 7-1672 | Community notification. | 7-1677 | Hindrance of sex offender registration; criminal offense. |
| 7-1673 | No waiver of immunity. | | |
| 7-1674 | Good faith. | 7-1678 | Hindrance of sex offender registration; civil penalty. |
| 7-1675 | Violation; criminal offense. | | |
| 7-1676 | Violation; civil penalty. | | |

TITLE 7
ARTICLE 17
SEX OFFENDER RESTRICTIONS
(Adopted October 19, 2011)

| | | | |
|--------|---|--------|---------------------------------|
| 7-1701 | Purpose. | 7-1706 | Measurement of distance. |
| 7-1702 | Definitions. | 7-1707 | Renting to a sex offender. |
| 7-1703 | Residency restrictions; general. | 7-1708 | Exclusion zones. |
| 7-1704 | Residency restrictions; civil penalty. | 7-1709 | Exclusion zones; civil penalty. |
| 7-1705 | Residency restrictions; tribal property | 7-1710 | Effective date. |

TITLE 7
ARTICLE 18
WHISTLE BLOWER PROTECTION
(Adopted October 5, 2015)

| | | | |
|--------|--|--------|---|
| 7-1801 | Citation. | 7-1809 | Retaliation Prohibited. |
| 7-1802 | Purpose. | 7-1810 | Reporting that is not Protected. |
| 7-1803 | Scope. | 7-1811 | False Claims. |
| 7-1804 | Authority. | 7-1812 | Cause of Action. |
| 7-1805 | Definitions. | 7-1813 | Limited Waiver of Sovereign Immunity. |
| 7-1806 | Employee's Duty to Report. | 7-1814 | Limited Remedies. |
| 7-1807 | Reports of Criminal Activity. | 7-1815 | Exclusive Jurisdiction and Sovereign Immunity. |
| 7-1808 | Reports of Mismanagement, Waste, Abuse, or Dangers to Public Health or Safety. | 7-1816 | Effective Date. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 7
ARTICLE 19
SETTLING PARTICIPANT BRAND LISTING ACT
(Adopted December 22, 2015)

| | | | |
|--------|--------------|--------|--------------------------|
| 7-1901 | Citation. | 7-1904 | Brand Listing. |
| 7-1902 | Purpose. | 7-1905 | Restrictions on Conduct. |
| 7-1903 | Definitions. | 7-1906 | Enforcement Action. |

TITLE 7
ARTICLE 20
PUBLIC HEALTH CODE
(Adopted December 15, 2021)

| | | | |
|--------|---------------------------|--------|---------------------|
| 7-2001 | Citation. | 7-2006 | Enforcement. |
| 7-2002 | Purpose. | 7-2007 | Sovereign Immunity. |
| 7-2003 | Definitions. | 7-2008 | Severability. |
| 7-2004 | Declaration. | 7-2009 | Effective Date. |
| 7-2005 | Isolation and Quarantine. | | |

TITLE 7
ARTICLE 21
SEXUALLY TRANSMITTED DISEASES AND MINORS
(Adopted July 17, 2024)

| | | | |
|--------|--|--------|--|
| 7-2101 | Sexual Transmitted Diseases; Enumerated. | 7-2103 | Confidentiality of Minor Diagnosis and Treatment. |
| 7-2002 | Sexually Transmitted Diseases; Minors; Treatment Without Consent. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 8
NATURAL RESOURCES
(Revised January 23, 2025)

ARTICLE 1
WILDLIFE AND PARKS
GENERAL PROVISIONS

| | | | |
|-------|-----------------|-------|--|
| 8-101 | Authority. | 8-105 | Winnebago Wildlife and Parks Commission. |
| 8-102 | Policy. | | |
| 8-103 | Intent. | 8-106 | Name. |
| 8-104 | Effective Date. | | |

AGREEMENTS

| | |
|-------|--|
| 8-107 | Cooperative and reciprocal agreements. |
|-------|--|

DEFINITIONS

| | |
|-------|-------------------------------|
| 8-108 | Definitions, interpretations. |
|-------|-------------------------------|

WILDLIFE AND PARKS COMMISSION REGULATIONS

| | | | |
|-------|-------------------------------------|-------|--------------------|
| 8-109 | Regulations and statutes: contents. | 8-115 | Forfeiture. |
| 8-110 | Powers. | 8-116 | Civil liability. |
| 8-111 | Officers' duties. | 8-117 | Maximum penalties. |
| 8-112 | Search. | 8-118 | Non-game species. |
| 8-113 | Authority to enter private land. | 8-119 | Waiver provision. |
| 8-114 | Seizure without warrant. | | |

LICENSE INFORMATION

| | | | |
|-------|-----------------------------|-------|----------------------------|
| 8-120 | Residency. | 8-126 | Number of licenses issued. |
| 8-121 | Application for a license. | 8-127 | Season limitations. |
| 8-122 | Validating licenses. | 8-128 | Bag limits. |
| 8-123 | License classes and fees. | 8-129 | Lost licenses. |
| 8-124 | Special permits. | 8-130 | Revoked licenses. |
| 8-125 | Basic license requirements. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

WATERFOWL

| | | | |
|-------|----------------------------|-------|---------------------------|
| 8-131 | Waterfowl regulations. | 8-137 | Tagging. |
| 8-132 | Restrictions. | 8-138 | Possession of live birds. |
| 8-133 | Closed season. | 8-139 | Dressing. |
| 8-134 | Shooting or hawking hours. | 8-140 | Shipment. |
| 8-135 | Field possession limit. | 8-141 | [Reserved.] |
| 8-136 | Wanton waste. | | |

BIG GAME REGULATIONS

| | | | |
|-------|-----------------|-------|-----------------------------|
| 8-142 | Shooting hours. | 8-146 | Non-licensees. |
| 8-143 | Firearms. | 8-147 | Tagging and transportation. |
| 8-144 | Bow and arrow. | 8-148 | Hunter orange. |
| 8-145 | Legal animals. | 8-149 | Big game hunting. |

RESTRICTIONS

| | | | |
|-------|----------------------|-------|------------------------------------|
| 8-150 | Restrictions. | 8-159 | Harassment. |
| 8-151 | Flagging. | 8-160 | Livestock and fences. |
| 8-152 | Visible bait. | 8-161 | Closed areas. |
| 8-153 | Raw furs. | 8-162 | Motor vehicles. |
| 8-154 | Trap checking. | 8-163 | Artificial light. |
| 8-155 | Live furbearers. | 8-164 | Inspection. |
| 8-156 | Fishing regulations. | 8-165 | Threatened and endangered species. |
| 8-157 | Trespass. | 8-166 | Bobcats. |
| 8-158 | Retrieval. | | |

FIREARMS POLICY

| | | | |
|-------|---|-------|---|
| 8-167 | Definitions. | 8-174 | Responsibility of the Department of Wildlife and Parks Supervisor. |
| 8-168 | Firearms policy. | 8-175 | Responsibility of the Chief Administrative Officer. |
| 8-169 | Administration of firearms. | 8-176 | Medical standards. |
| 8-170 | Firearms; record. | 8-177 | Misconduct. |
| 8-171 | Initial qualification requirements. | 8-178 | Special permits. |
| 8-172 | Procedures when a firearm is used. | | |
| 8-173 | Responsibility of the Senior Conservation Officer. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 8
ARTICLE 2
WATER MANAGEMENT
(Revised January 23, 2025)

| | | | |
|-------|-------------------------------|-------|--|
| 8-201 | Purposes. | 8-209 | Committee Member Provisions. |
| 8-202 | Major Actions. | 8-210 | Listing of Current Uses. |
| 8-203 | Definitions. | 8-211 | Water Resource Information. |
| 8-204 | Severability. | 8-212 | Public Cooperation. |
| 8-205 | Composition of the Committee. | 8-213 | Declarations of New Water Use. |
| 8-206 | Committee Chairperson. | 8-214 | Inventory Update. |
| 8-207 | Committee Meetings. | 8-215 | Committee and Administrator Responsibilities. |
| 8-208 | Duties. | | |

TITLE 8
ARTICLE 3
HEMP
(Revised September 24, 2024)

| | | | |
|-------|--|-------|---|
| 8-301 | Authority. | 8-310 | Other License Requirements and Restrictions. |
| 8-302 | Citation. | 8-311 | Lot Permits. |
| 8-303 | Policy and Purpose. | 8-312 | Reporting and Recordkeeping. |
| 8-304 | Jurisdiction. | 8-313 | Sampling and Testing. |
| 8-305 | Definitions. | 8-314 | Annual Inspections of a Random Hemp Sample. |
| 8-306 | Hemp Program. | 8-315 | Transporting Hemp. |
| 8-307 | Hemp Oversight and Licensing Commission | 8-316 | Crop Destruction and Remediation. |
| 8-308 | Hemp License Applications. | 8-317 | Penalties. |
| 8-309 | Hemp License Application Contents. | | |

TITLE 8
ARTICLE 4
CULTURAL RESOURCE PROTECTION CODE
(Adopted March 14, 2018)

| | | | |
|-------|---------------------------------------|-------|-----------------------------------|
| 8-401 | Authority. | 8-407 | Mitigation of Adverse Effects. |
| 8-402 | Intent and Purpose. | 8-408 | Tribal Monitors. |
| 8-403 | Definitions. | 8-409 | Enforcement. |
| 8-404 | Tribal Historic Preservation Officer. | 8-410 | Protection of Cultural Materials. |
| 8-405 | Cultural Resource Review Process. | 8-411 | Permits. |
| 8-406 | Determination of Adverse Effects. | 8-412 | Confidentiality and Disclosure. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 9
GAMING

(Amended and Restated as of February 22, 2013)

ARTICLE 1
DEFINITIONS AND GENERAL PROVISIONS

| | | | |
|-------|---------------------------------|-------|--------------------------|
| 9-101 | Definitions. | 9-105 | Distribution limitation. |
| 9-102 | Gaming permitted. | 9-106 | Management authorized. |
| 9-103 | Tribe as sole owner. | 9-107 | Governing laws. |
| 9-104 | Application of gaming revenues. | 9-108 | Purpose. |

TITLE 9
ARTICLE 2

TRIBAL GAMING COMMISSION

| | | | |
|-------|--|-------|---|
| 9-201 | Establishment and composition of commission. | 9-208 | Powers and duties of the gaming commission. |
| 9-202 | Qualifications of commissioners. | 9-209 | Compensation and expenses. |
| 9-203 | Meetings. | 9-210 | Commission budget. |
| 9-204 | Resignation. | 9-211 | Commission records. |
| 9-205 | Removal. | 9-212 | Financial interest prohibited. |
| 9-206 | Commission office. | 9-213 | Rules. |
| 9-207 | Monthly reports. | | |

TITLE 9
ARTICLE 3

LICENSING PROVISIONS

| | | | |
|--------|--|-------|---|
| 9-301 | Required licenses. | 9-310 | All information confidential. |
| 9-302 | Facility license. | 9-311 | Duration of licenses. |
| 9-303 | Operator's license. | 9-312 | License suspension; revocation. |
| 9-304 | Licensing of employees and key employees. | 9-313 | Forms of licenses. |
| 9-305a | License for distributor and suppliers. | 9-314 | License application fee. |
| 9-305b | Machine licenses. | 9-315 | Background investigations. |
| 9-305c | Vendor license. | 9-316 | Eligibility determination. |
| 9-306 | Provisional license. | 9-317 | Forwarding applications and reports to the national commission. |
| 9-307 | Notification to national commission. | 9-318 | Report to the national commission. |
| 9-308 | Certification of gaming devices; seizure of contraband authorized. | 9-319 | Granting a gaming license. |
| 9-309 | Access to premises and records. | 9-320 | Application forms. |
| | | 9-321 | Burden of proof. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 9
ARTICLE 4
CLASS II GAMING

9-401 Gaming regulated. 9-402 Games authorized.

TITLE 9
ARTICLE 5
CLASS III GAMING

9-501 Gaming regulated. 9-507 Commission rules.
9-502 Games authorized. 9-508 Right of entry and inspection.
9-503 Gaming rules. 9-509 No credit.
9-504 Rules displayed. 9-510 Notification of violations.
9-505 Gaming devices. 9-511 Surveillance.
9-506 Security.

TITLE 9
ARTICLE 6
VIOLATIONS; PENALTIES

9-601 Role of Tribal prosecutor. 9-606 Civil penalties.
9-602 Tribal Court jurisdiction. 9-607 Consent to jurisdiction.
9-603 Prohibited acts. 9-608 Civil actions.
9-604 Criminal violations penalties. 9-609 Administrative hearings.
9-605 Civil violations. 9-610 Agent for service.

TITLE 9
ARTICLE 7
MISCELLANEOUS PROVISIONS

9-701 Sovereignty not waived. 9-708 Repeal of prior law.
9-702 Audits. 9-709 Customer disputes.
9-703 Contracts subject to audit. 9-710 Customer rights regarding disputes.
9-704 Public safety. 9-711 Gaming commission action on customer
disputes.
9-705 Unclaimed winnings. 9-712 Right to exclude or remove.
9-706 Saving clause. 9-713 Review and approval of gaming contracts.
9-707 Short title.

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 10
GENERAL REVENUE AND TAX CODE
(As amended February 17, 2010)

TITLE 10
ARTICLE 1
TAXATION

| | | | |
|------------|--|---------------|--|
| 10-101 | Citation. | 10-125 | Exempt Property. |
| 10-102 | Purpose. | 10-126-10-150 | Reserved. |
| 10-103 | Tax Commission. | 10-151 | Administrative Appeals. |
| 10-104 | Composition of the Tax Commission. | 10-152 | Limitations on Administrative Appeals. |
| 10-105 | Seal. | 10-153 | Exhaustion of Administrative Remedies. |
| 10-106 | General Powers of the Tax Commission. | 10-154 | Suits against the Tax Commission. |
| 10-107 | Rulemaking Authority. | 10-155 | Limitations on Suits against the Tax Commission. |
| 10-108 | Forms. | 10-156 | Refunds to Taxpayers. |
| 10-109 | Tax Stamps and Licenses. | 10-157-10-180 | Reserved. |
| 10-110 | Records. | 10-181 | Forgery of Stamps or other tax instruments. |
| 10-111 | Bookkeeping. | 10-182 | Offenses. |
| 10-112 | Collection Account; Deposits. | 10-183 | General Penalties. |
| 10-113 | Tax Commission Employees and Expenses. | 10-184 | Referrals for Federal Prosecution. |
| 10-114 | Nepotism. | 10-185 | Interest. |
| 10-115-119 | Reserved. | 10-186 | Commencement of Actions. |
| 10-120 | Collection of Taxes. | 10-187 | Taxes Erroneously paid. |
| 10-121 | Collection of Delinquent Taxes. | 10-188 | Penalties. |
| 10-122 | Other Remedies. | 10-189 | Records. |
| 10-123 | Inventory of Seized Property. | | |
| 10-124 | Public Sale of Forfeited Property. | | |

TITLE 10
ARTICLE 2
SALES TAX

| | | | |
|--------|------------------------|--------|-----------------|
| 10-200 | Definitions. | 10-203 | Impact of tax. |
| 10-201 | Tax on sales of goods. | 10-204 | Payment of tax. |
| 10-202 | Exceptions. | 10-205 | Permit System. |

TITLE 10
ARTICLE 3
GASOLINE TAX

| | | | |
|--------|---------------------------|--------|--------------------|
| 10-300 | Definitions. | 10-303 | Impact of tax. |
| 10-301 | Tax on sales of gasoline. | 10-304 | Collection of tax. |
| 10-302 | Exceptions. | 10-305 | Payment of tax. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 10
ARTICLE 4
CONSTRUCTION TAX

| | | | |
|--------|-------------------|--------|---------------------------------|
| 10-400 | Definitions. | 10-403 | Payment Requirements. |
| 10-401 | Construction Tax. | 10-404 | Material Purchase Certificates. |
| 10-402 | Subcontractors. | 10-405 | State and Local Taxation. |

TITLE 10
ARTICLE 5
BINGO TAX
[Repealed January 1, 2016]
[TCR 05-39, 16-39]

TITLE 10
ARTICLE 6
TOBACCO TAX

| | | | |
|--------|--------------------------------------|--------|-----------------------|
| 10-600 | Definitions. | 10-605 | Wholesale Exceptions. |
| 10-601 | Sales of Tribal Cigarettes. | 10-606 | Impact of Tax. |
| 10-602 | Internet Sales of Tribal Cigarettes. | 10-607 | Tax Collection. |
| 10-603 | Other Tribal Tobacco Products. | 10-608 | Payment of Tax. |
| 10-604 | Compact Exceptions. | 10-609 | Effective Date. |

TITLE 10
ARTICLE 7
HOTEL LODGING TAX
(As adopted January 16, 2012)

| | | | |
|--------|--------------------------------|--------|--------------------------------------|
| 10-700 | Definitions. | 10-705 | Assessment and Determination of Tax. |
| 10-701 | Imposition of Tax; Exemptions. | 10-706 | Notices. |
| 10-702 | Records. | 10-707 | Licenses and Registration. |
| 10-703 | Returns. | 10-708 | Interest and Penalties. |
| 10-704 | Payment of Tax. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 11
BUSINESS CORPORATION CODE

ARTICLE 1.00
CITATION; DEFINITIONS

11-001 Citation. 11-011 Definitions.

ARTICLE 1.02
APPLICATION

11-021 Repeal of previous business corporation code.
11-041 Reservation of right.
11-061 Corporations wholly owned by the Tribe.
11-081 Sovereign immunity of the Tribe not waived.

ARTICLE 1.10
INCORPORATION; ARTICLES

11-101 Purposes.
11-105 Incorporators.
11-111 Articles.
11-115 Corporate name.
11-117 Reserved name.
11-121 Registered office; registered agent.
11-123 Change of registered office or registered agent; change of name of registered agent.
11-131 Amendment of Articles.
11-133 Procedure for amendment before issuance of shares.
11-135 Procedure for amendment after issuance of shares.
11-137 Class or series voting on amendments.
11-139 Articles of amendment.
11-141 Effect of amendment.
11-151 Filing articles.
11-153 Effective date of articles.
11-155 Presumption; Certificate of Incorporation.

ARTICLE 1.16
POWERS

11-161 Powers.
11-163 Corporate seal.
11-165 Effect of lack of power; ultra vires.

ARTICLE 1.17
ORGANIZATION; BYLAWS

11-171 Organization.
11-181 Bylaws.

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 2
BOARD

| | | | |
|--------|----------------------------------|--------|---------------------------------|
| 11-201 | Board. | 11-225 | Vacancies. |
| 11-203 | Number. | 11-231 | Board meetings. |
| 11-205 | Qualifications; election. | 11-233 | Absent directors. |
| 11-207 | Terms. | 11-235 | Quorum. |
| 11-209 | Acts not void or voidable. | 11-237 | Act of the board. |
| 11-211 | Compensation. | 11-239 | Action without meeting. |
| 11-213 | Classification of directors. | 11-241 | Committees. |
| 11-215 | Cumulative voting for directors. | 11-251 | Standard of conduct. |
| 11-221 | Resignation. | 11-255 | Director conflicts of interest. |
| 11-223 | Removal of directors. | | |

ARTICLE 3
OFFICERS

| | | | |
|--------|------------------------------|--------|----------------------------------|
| 11-301 | Officers required. | 11-331 | Contract rights. |
| 11-305 | Duties of required officers. | 11-341 | Resignation; removal; vacancies. |
| 11-311 | Other officers. | 11-351 | Delegation. |
| 11-315 | Multiple offices. | 11-361 | Standard of conduct. |
| 11-321 | Officers deemed elected. | | |

ARTICLE 4
SHARES; SHAREHOLDERS

| | | | |
|--------|---|--------|--|
| 11-401 | Authorized shares. | 11-435 | Notice. |
| 11-402 | Share dividends, divisions, and combinations. | 11-436 | Electronic communications. |
| 11-403 | Subscriptions for shares. | 11-437 | Act of the shareholders. |
| 11-405 | Consideration for shares; value and payment; liability. | 11-441 | Action without a meeting. |
| 11-413 | Preemptive rights. | 11-443 | Quorum. |
| 11-417 | Share certificates; issuance and contents; uncertificated shares. | 11-445 | Voting rights. |
| 11-419 | Lost share certificates; replacement. | 11-447 | Voting of shares by organizations and legal representatives. |
| 11-423 | Fractional shares. | 11-449 | Proxies. |
| 11-425 | Liability of subscribers and shareholders with respect to shares. | 11-453 | Voting trusts. |
| 11-429 | Restriction on transfer or registration of securities. | 11-455 | Shareholder voting agreements. |
| 11-431 | Regular meetings of shareholders. | 11-457 | Shareholder control agreements. |
| 11-433 | Special meetings of shareholders. | 11-461 | Books and records; inspection. |
| | | 11-463 | Financial statements. |
| | | 11-467 | Equitable remedies. |
| | | 11-471 | Rights of dissenting shareholders. |
| | | 11-473 | Procedures for asserting dissenter's rights. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 5
LOANS; OBLIGATIONS; DISTRIBUTIONS

| | | | |
|--------|--------------------------------|--------|--|
| 11-501 | Loans; guarantees; suretyship. | 11-557 | Liability of shareholders for illegal distributions. |
| 11-505 | Advances. | | |
| 11-521 | Indemnification. | 11-559 | Liability of directors for illegal distributions. |
| 11-551 | Distributions. | | |
| 11-553 | Powers to acquire shares. | | |

ARTICLE 6
MERGER, EXCHANGE, TRANSFER
(As revised March 30, 2015)

| | | | |
|--------|--|--------|---|
| 11-600 | Definitions | 11-631 | Abandonment. |
| 11-601 | Merger, exchange, transfer. | 11-641 | Effective date of merger or exchange; effect. |
| 11-611 | Plan of merger or exchange. | | |
| 11-613 | Plan approval. | 11-651 | Merger or exchange with foreign corporation. |
| 11-615 | Articles of merger or exchange; certificate. | 11-661 | Transfer of assets; when permitted. |
| 11-621 | Merger of subsidiary. | | |

ARTICLE 7
DISSOLUTION

| | | | |
|--------|---|--------|---|
| 11-701 | Methods of dissolution. | 11-755 | Qualifications of receivers; powers. |
| 11-711 | Voluntary dissolution by incorporators. | 11-757 | Action by Tribal Council. |
| 11-721 | Voluntary dissolution by shareholders. | 11-759 | Filing claims in proceedings to dissolve. |
| 11-723 | Filing notice of intent to dissolve; effect. | | |
| 11-727 | Dissolution procedure for corporations that give notice to creditors and claimants. | 11-761 | Discontinuance of dissolution proceedings. |
| | | 11-763 | Decree of dissolution. |
| 11-729 | Dissolution procedure for corporations that do not give notice. | 11-765 | Filing decree. |
| 11-731 | Revocation of dissolution proceedings. | 11-771 | Deposit with Tribal Treasurer of amount due certain shareholders. |
| 11-734 | Effective date of dissolution; certificate. | 11-781 | Claims barred; exceptions. |
| 11-741 | Supervised voluntary dissolution. | 11-783 | Right to sue or defend after dissolution. |
| 11-751 | Judicial intervention; equitable remedies or dissolution. | 11-791 | Omitted assets. |
| 11-753 | Procedure in involuntary or supervised voluntary dissolution. | | |

ARTICLE 8.01
EXTENSION

| | | | |
|--------|-----------------------------------|--------|----------------------|
| 11-801 | Extension after duration expired. | 11-805 | Effect of extension. |
|--------|-----------------------------------|--------|----------------------|

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 8.21
CORPORATE REGISTRATION

11-821 Winnebago Tribal corporate registration.

ARTICLE 9
ACTIONS AGAINST CORPORATIONS

11-901 Service of process on corporation. 11-917 Court action; remedies and penalties.

ARTICLE 10
CORPORATIONS WHOLLY OWNED BY THE TRIBE

| | | | |
|---------|--|---------|---|
| 11-1001 | Scope. | 11-1022 | Liability of Tribe as shareholder. |
| 11-1002 | Application. | 11-1023 | Shareholder meetings. |
| 11-1003 | Special powers, privileges and immunities of corporations wholly owned by the Tribe. | 11-1030 | Assets, distribution of income. |
| | | 11-1091 | Voluntary dissolution by incorporators. |
| 11-1010 | Board. | | |
| 11-1021 | Shares in corporations wholly owned by the Tribe; shareholders; voting. | | |

ARTICLE 11
EFFECTIVE DATE AND AUTHORITY

| | | | |
|---------|---|---------|-----------------------------|
| 11-1101 | Severability; effect of invalidity of part of this Code. | 11-1113 | Authority. |
| | | 11-1117 | No impairment of contracts. |
| 11-1111 | Effective date. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 12
CONVERSION

(As adopted March 30, 2015)

| | | | |
|---------|---|---------|---|
| 11-1201 | Definitions. | 11-1207 | Conversion of Business Entity into a Domestic Corporation. |
| 11-1202 | Conversion. | 11-1208 | Plan of Conversion for Business Entity into a Domestic Corporation. |
| 11-1203 | Conversion of Domestic Corporation into Another Business Entity. | 11-1209 | Effect of Conversion of Business Entity into Domestic Corporation. |
| 11-1204 | Plan of Conversion for Domestic Corporation into Another Business Entity. | 11-1210 | Articles of Entity Conversion. |
| 11-1205 | Filing of Certificate of Conversion for Domestic Corporation Converting into Another Business Entity. | 11-1211 | Surrender of Charter Upon Conversion. |
| 11-1206 | Effect of Conversion of Domestic Corporation into Another Business Entity. | 11-1212 | Articles Not Exclusive. |

ARTICLE 13
DOMESTICATION

(As adopted March 30, 2015)

| | | | |
|---------|--|---------|-------------------------------|
| 11-1301 | Domestication. | 11-1305 | Effect of Domestication. |
| 11-1301 | Action on a Plan of Domestication. | 11-1306 | Abandonment of Domestication. |
| 11-1303 | Articles of Domestication. | 11-1307 | Article not exclusive. |
| 11-1304 | Surrender of Charter Upon Domestication. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 11A
BUSINESS REGULATION AND ECONOMIC DEVELOPMENT

ARTICLE 2
WINNEBAGO INDUSTRIAL DEVELOPMENT FINANCING SERVICE ACT
(As redesignated March 9, 1994)

| | | | |
|---------|---|---------|--|
| 11A-201 | Citation and special definition. | 11A-215 | Guaranty of deposits-exemption from taxation. |
| 11A-202 | Establishment and purpose of the Winnebago Industrial Development Financing Service. | 11A-216 | Interest rates; time deposits; limitations; charges. |
| 11A-203 | Tribal credit officer to operate service, business of Industrial Development Financing Service. | 11A-217 | Deposits may be made in any bank. |
| 11A-204 | Federal Deposit Insurance Corporation Act. | 11A-218 | Financing service may make loans. |
| 11A-205 | Pledge of assets generally. | 11A-219 | Loans to treasury account authorized. |
| 11A-206 | Indemnification for defending suits. | 11A-220 | Investments in government sponsored stocks. |
| 11A-207 | Property acquisition. | 11A-221 | Fund transfers to Tribal departments; how credited. |
| 11A-208 | Engagement of officers and employees. | 11A-222 | Warrants against transferred funds. |
| 11A-209 | Removal and discharge of appointees. | 11A-223 | Assignment patents and sales of land acquired through foreclosure. |
| 11A-210 | Capital of Industrial Development Financing Service. | 11A-224 | Name in which business conducted; execution of industrial instruments. |
| 11A-211 | Tribal funds to be deposited in the Winnebago Industrial Development Financing Service. | 11A-225 | Civil actions against financing service. |
| 11A-212 | Non-liability of officers and sureties after deposit. | 11A-226 | Surety not required for financing service in civil actions. |
| 11A-213 | Deposits may be received from any source. | 11A-227 | No execution of financing service property. |
| 11A-214 | Deposits to credit of other financing services. | 11A-228 | Audit of financing service accounts and records. |
| | | 11A-229 | Indian Financing Act authorization. |

UTILIZATION OF FINANCING SERVICE IN
INDUSTRIAL DEVELOPMENT

| | | | |
|---------|--|---------|--|
| 11A-230 | Declaration and finding of public purpose. | 11A-237 | Powers. |
| 11A-231 | Financing service advisory board. | 11A-238 | Default by mortgagors. |
| 11A-232 | Authority of board; capital pool created. | 11A-239 | Mortgage insurance fund. |
| 11A-233 | Minimum standards for loans from capital pool. | 11A-240 | Insurance of mortgages. |
| 11A-234 | Mortgage program administration. | 11A-241 | Mortgage insurance premiums. |
| 11A-235 | Purpose. | 11A-242 | Expenses. |
| 11A-236 | Definitions. | 11A-243 | Mortgages eligible for investment. |
| | | 11A-244 | Limitation; credit of financing service and Tribe not pledged. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 11A
ARTICLE 3
WINNEBAGO ECONOMIC DEVELOPMENT ACT OF 1989
(As redesignated March 9, 1994)
GENERAL PROVISIONS

| | | | |
|---------|---|---------|--------------|
| 11A-301 | Citation. | 11A-303 | Purposes. |
| 11A-302 | Declaration of need and legislative findings. | 11A-304 | Definitions. |

BOARD OF TRUSTEES

| | | | |
|---------|---|---------|---------------------------|
| 11A-305 | Economic development authority created. | 11A-310 | Officers. |
| 11A-306 | Board created; number. | 11A-311 | Removal of board members. |
| 11A-307 | Appointment of board members. | 11A-312 | Compensation to be paid. |
| 11A-308 | Qualifications of board members. | 11A-313 | Quorum. |
| 11A-309 | Term of office. | 11A-314 | Duties of officers. |
| | | 11A-315 | Meetings. |

POWERS OF THE AUTHORITY

| | | | |
|---------|---------------------------|---------|-------------------------------------|
| 11A-316 | Period of existence. | 11A-319 | Securing financial assistance. |
| 11A-317 | Power to sue and be sued. | 11A-320 | Certain property laws do not apply. |
| 11A-318 | General powers. | | |

OBLIGATIONS

| | | | |
|---------|---------------------------------------|---------|---------------------------------|
| 11A-321 | Authority to issue obligations. | 11A-325 | Manner of issuance and sales. |
| 11A-322 | No personal liability on obligations. | 11A-326 | Obligations are negotiable. |
| 11A-323 | No Tribal liability on obligations. | 11A-327 | Security for obligations. |
| 11A-324 | Obligations are tax exempt. | 11A-328 | Actions to be filed for record. |

MISCELLANEOUS PROVISIONS

| | | | |
|---------|---|---------|---------------------------------------|
| 11A-329 | Reports. | 11A-335 | Personal policies to be enacted. |
| 11A-330 | Acquisition of interests prohibited. | 11A-336 | Judicial notice. |
| 11A-331 | Compliance with federal law. | 11A-337 | Special certificate of incorporation. |
| 11A-332 | Fidelity bonds. | 11A-338 | Separability of provisions. |
| 11A-333 | Property of authority as public property. | 11A-339 | Records and audit. |
| 11A-334 | No execution on authority property. | 11A-340 | Authorization of appropriations. |
| | | 11A-341 | Rules, regulations and procedures. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

MANAGEMENT OF TRIBAL ENTERPRISES

| | | | |
|---------|--|---------|---|
| 11A-342 | General management provisions. | 11A-344 | Chartering of independent Tribal enterprises. |
| 11A-343 | Achieving independent status as a Tribal enterprise. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 11B
LIMITED LIABILITY COMPANY CODE
(As adopted January 13, 2010)
ARTICLE 1
GENERAL PROVISIONS

| | | | |
|---------|---|---------|----------------------------|
| 11B-101 | Short Title. | 11B-108 | Tribe as an Owner. |
| 11B-102 | Purposes; Sovereign Immunity. | 11B-109 | Nature of business. |
| 11B-103 | Scope. | 11B-110 | Execution of Documents. |
| 11B-104 | Applicable law. | 11B-111 | Filing. |
| 11B-105 | Definitions. | 11B-112 | Certificate of Status. |
| 11B-106 | Name. | 11B-113 | Execution by Judicial Act. |
| 11B-107 | Registered Office and Registered Agent. | 11B-114 | Interstate application. |

ARTICLE 2
OPERATING AGREEMENT AND DEALING WITH LLC

| | | | |
|---------|---|---------|---------------------------------------|
| 11B-201 | Articles of Organization. | 11B-205 | Liability of Owners to Third Parties. |
| 11B-202 | Agency Power of Owners and Managers. | 11B-206 | Parties to Action |
| 11B-203 | Admission of Owners and Managers. | 11B-207 | Authority to Sue. |
| 11B-204 | Knowledge of or Notice to Owner or Manager. | | |

ARTICLE 3
OWNERS AND MANAGERS

| | | | |
|---------|--|---------|--------------------------|
| 11B-301 | Management. | 11B-305 | Records and Information. |
| 11B-302 | Duties. | 11B-306 | Admission of Owners. |
| 11B-303 | Limitation of Liability and Indemnification. | 11B-307 | Dissociation. |
| 11B-304 | Voting. | | |

ARTICLE 4
FINANCE

| | | | |
|---------|-----------------------------|---------|-----------------------------------|
| 11B-401 | Contributions. | 11B-403 | Allocation of Profits and Losses. |
| 11B-402 | Liability for Contribution. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 5
NON-LIQUIDATING DISTRIBUTIONS

| | | | |
|---------|---------------------------------------|---------|--------------------------------------|
| 11B-501 | Interim Distributions. | 11B-505 | Distribution in Kind. |
| 11B-502 | Allocation of Distributions. | 11B-506 | Right to Distribution. |
| 11B-503 | Distribution Upon Partial Redemption. | 11B-507 | Limitations of Distributions. |
| 11B-504 | Distribution Upon Dissociation. | 11B-508 | Liability for Wrongful Distribution. |

ARTICLE 6
OWNERSHIP AND TRANSFER OF PROPERTY

| | | | |
|---------|-----------------------------|---------|---------------------------------------|
| 11B-601 | Ownership of LLC Property. | 11B-605 | Rights of Judgment Creditor. |
| 11B-602 | Transfer of Property. | 11B-606 | Right of Assignee to Become an Owner. |
| 11B-603 | Nature of Interest. | 11B-607 | Powers of Legal Representative. |
| 11B-604 | Assignment of LLC Interest. | | |

ARTICLE 7
DISSOLUTION

| | | | |
|---------|-------------------------|---------|-------------------------------------|
| 11B-701 | Dissolution. | 11B-705 | Articles of Dissolution. |
| 11B-702 | Judicial Dissolution. | 11B-706 | Known Claims Against Dissolved LLC. |
| 11B-703 | Winding Up. | 11B-707 | Unknown or Contingent Claims. |
| 11B-704 | Distribution of Assets. | | |

ARTICLE 8
MERGER, CONVERSION, AND DOMESTICATION
(As revised March 30, 2015)

| | | | |
|---------|--|---------|---|
| 11B-801 | Definitions. | 11B-813 | Conversion of Business Entity into a Domestic LLC. |
| 11B-802 | Merger. | 11B-814 | Plan of Conversion Business Entity into a Domestic LLC. |
| 11B-803 | Approval of Merger. | 11B-815 | Effect of Conversion of Business Entity in Domestic LLC. |
| 11B-804 | Plan of Merger. | 11B-816 | Domestication. |
| 11B-805 | Articles of Merger. | 11B-817 | Action on Plan of Domestication by Domesticating LLC. |
| 11B-806 | Effects of Merger. | 11B-818 | Filings Required for Domestication; Effective Date. |
| 11B-807 | Right to Object. | 11B-819 | Effect of Domestication. |
| 11B-808 | Conversion. | 11B-820 | Restrictions on Approval of Mergers, Conversions, and Domestications. |
| 11B-809 | Conversions of Domestic LLC into Another Business Entity. | 11B-821 | Article Not Exclusive. |
| 11B-810 | Plan of Conversion for Domestic LLC into Another Business Entity. | | |
| 11B-811 | Filing of Certificate of Conversion for Domestic LLC. | | |
| 11B-812 | Effect of Conversion of Domestic LLC into Another Business Entity. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

ARTICLE 9
LIMITED LIABILITY COMPANIES WHOLLY-OWNED BY THE TRIBE

SUBPART 1
GENERAL PROVISIONS FOR TRIBALLY-OWNED LLC'S

| | | | |
|---------|--------------------------------------|---------|---|
| 11B-911 | Tribally-Owned Companies. | 11B-915 | Project Companies with Non-Tribal Owners. |
| 11B-912 | Tribally-Owned Subsidiary Companies. | 11B-916 | Purpose of Tribally-Owned LLC's. |
| 11B-913 | Privileges and Immunities. | 11B-917 | Waiver of Sovereign Immunity. |
| 11B-914 | Ownership. | | |

SUBPART 2
SPECIAL FORMATION REQUIREMENTS FOR TRIBALLY-OWNED LLC'S

| | | | |
|---------|------------|---------|---|
| 11B-921 | Formation. | 11B-922 | Additional Requirements for the Articles of Organization. |
|---------|------------|---------|---|

SUBPART 3
MANAGEMENT OF TRIBALLY-OWNED LLC'S

| | |
|---------|-------------|
| 11B-931 | Management. |
|---------|-------------|

SUBPART 4
DECISIONS AND VOTING FOR TRIBALLY-OWNED LLC'S

| | |
|---------|---------|
| 11B-941 | Voting. |
|---------|---------|

SUBPART 5
DISTRIBUTIONS FOR TRIBALLY-OWNED LLC'S

| | |
|---------|--------------------------|
| 11B-951 | Distributions of Income. |
|---------|--------------------------|

SUBPART 6
ADDITIONAL REPORTS AND AUDITS

| | | | |
|---------|--------|---------|--|
| 11B-961 | Audit. | 11B-962 | Financial, Business, and Planning Information. |
|---------|--------|---------|--|

SUBPART 7
ACTIONS AGAINST TRIBALLY-OWNED LLC'S

| | | | |
|---------|--------------------------------------|---------|-------------------|
| 11B-971 | Court Actions By a Tribe Authorized. | 11B-973 | Relief Available. |
| 11B-972 | Tribal Approval Required. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 12
FAMILY RELATIONS

ARTICLE 1

[Reserved]

TITLE 12
ARTICLE 2
DOMESTIC AND FAMILY VIOLENCE ACT
(As amended and approved December 7, 2005)

| | | | |
|--------|--|--------|--|
| 12-201 | Purpose and Findings. | 12-223 | Continuing Duty to Inform Court of Other Proceedings; Effect of Other Proceedings; Delay of Relief Prohibited; Omission of Petitioner's Address. |
| 12-202 | Definitions. | 12-224 | Emergency Order for Protection; |
| 12-203 | Domestic or Family Violence; Crime Involving Domestic or Family Violence; Penalties; Mandatory Intervention. | 12-225 | Order for Protection; Modification of Orders; Relief Available Ex Parte; Relief Available After Hearing; Duties of the Court; Duration of Order. |
| 12-204 | Possession of a Firearm. | 12-226 | Required Hearings; Duty When Order for Protection Denied. |
| 12-205 | Duties of Law Enforcement to Victim; Required Notice. | 12-227 | Effect of Action by Petitioner or Respondent on Order. |
| 12-206 | Determination of Predominant Aggressor; Required Report. | 12-228 | Denial of Relief Prohibited. |
| 12-207 | Mandatory Arrest Provisions. | 12-229 | Mutual Orders for Protection. |
| 12-208 | Authority of Law Enforcement to Seize Weapons. | 12-230 | Violation of Certain Orders for Protection. |
| 12-209 | Conditions of Release. | 12-231 | Court-ordered and Court-referred Mediation Prohibited. |
| 12-210 | Written Procedures for Prosecution. | 12-232 | Court Costs and Fees. |
| 12-211 | Duty of Prosecutor to Notify Victim. | 12-233 | Court-referred Assistance to Victims of Domestic and Family Violence. |
| 12-212 | Record of Dismissal. | 12-234 | Full Faith and Credit. |
| 12-213 | Dismissal Prohibited Due to Civil Compromise. | 12-235 | Mandatory Training. |
| 12-214 | Rights of Victims. | | |
| 12-215 | Spousal Privileges Inapplicable. | | |
| 12-216 | Advocate-Victim Privilege. | | |
| 12-217 | Residential Confinement; Visitation in Home of Victim Prohibited. | | |
| 12-218 | Diversion prohibited. | | |
| 12-219 | Required Policies and Procedures. | | |
| 12-220 | Eligible Petitioners for Protection Orders. | | |
| 12-221 | Uniform Documents for Petitions and Orders; Required Statements; Duties of Clerk. | | |
| 12-222 | Jurisdiction; Venue; Residency not Required to Petition. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 12
ARTICLE 3
WINNEBAGO CHILD SUPPORT ENFORCEMENT IV-D PROGRAM ACT;
ESTABLISHMENT AND DUTIES

| | | | |
|--------|-----------------|--------|---|
| 12-301 | Act, How Cited. | 12-304 | Authority and Responsibility of the WTN-CSE. |
| 12-302 | Purpose. | 12-305 | Program Participation and Funding. |
| 12-303 | Definitions. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 12
ARTICLE 4
WINNEBAGO PARENTAGE ACT

| | | | |
|--------|--|--------|--|
| 12-401 | Act, How Cited. | 12-431 | Costs of Genetic Testing. |
| 12-402 | Purpose of Act. | 12-432 | Additional Genetic Testing. |
| 12-403 | Definitions. | 12-433 | Genetic Testing When Specimens Not Available. |
| 12-404 | Subject Matter Jurisdiction. | 12-434 | Deceased Individual. |
| 12-405 | Personal Jurisdiction. | 12-435 | Identical Brothers. |
| 12-406 | Protection of Participants. | 12-436 | Confidentiality of Genetic Testing. |
| 12-407 | Authorized Release of Case Records and Other Information. | 12-437 | Proceeding to Adjudicate the Parentage of a Child – Authorization. |
| 12-408 | Publication of Proceedings. | 12-438 | Standing to Maintain Proceeding. |
| 12-409 | Penalty for Unauthorized Disclosure. | 12-439 | Parties to Proceeding. |
| 12-410 | Notice. | 12-440 | No Limitation – Child Having No Presumed, Acknowledged, or Adjudicated Father. |
| 12-411 | Establishment of Parent-Child Relationship. | 12-441 | Limitation – Child Having Presumed Father. |
| 12-412 | No Discrimination Based on Marital Status. | 12-442 | Authority to Deny Motion for Genetic Testing. |
| 12-413 | Consequences of Establishment of Parentage. | 12-443 | Limitation – Child Having Acknowledged or Adjudicated Father. |
| 12-414 | Presumption of Paternity. | 12-444 | Joinder of Proceedings. |
| 12-415 | Tribal Acknowledgement and Denial of Paternity – Duties of the WTN-CSEP. | 12-445 | Proceeding Before Birth. |
| 12-416 | Tribal Acknowledgment of Paternity – Execution. | 12-446 | Child as Party – Representation. |
| 12-417 | Tribal Denial of Paternity by a Presumed Father. | 12-447 | Admissibility of Results of Genetic Testing – Expenses. |
| 12-418 | Rules for Tribal Acknowledgment and Denial of Paternity. | 12-448 | Consequences of Declining Genetic Testing. |
| 12-419 | Effect of Tribal Acknowledgment or Denial of Paternity. | 12-449 | Admission of Paternity Authorized. |
| 12-420 | No Filing Fee. | 12-450 | Temporary Order. |
| 12-421 | Proceeding for Rescission. | 12-451 | Rules of Adjudication of Paternity. |
| 12-422 | Challenge <u>After</u> Expiration of Period for Rescission. | 12-452 | Jury Prohibited. |
| 12-423 | Procedure for Rescission or Challenge. | 12-453 | Closed Hearings. |
| 12-424 | Full Faith and Credit. | 12-454 | Order on Default. |
| 12-425 | Release of Information – Tribal Acknowledgment or Denial of Paternity. | 12-455 | Dismissal for Want of Prosecution. |
| 12-426 | Scope of Genetic Testing. | 12-456 | Order Adjudicating Parentage. |
| 12-427 | Order for Genetic Testing. | 12-457 | Binding Effect of Determination of Parentage. |
| 12-428 | Requirements for Genetic Testing. | 12-458 | Liability for Collection of Support. |
| 12-429 | Report of Genetic Testing. | 12-459 | Application of the Winnebago Parentage Act. |
| 12-430 | Genetic Testing Results – Rebuttal. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 12
FAMILY RELATIONS
ARTICLE 5
WINNEBAGO CHILD SUPPORT ACT
(As revised May 21, 2014)

PRELIMINARY PROVISIONS

| | | | |
|--------|---|--------|---|
| 12-501 | Act, How Cited. | 12-507 | Authorized Release of Case Records and Other Information. |
| 12-502 | Findings. | 12-508 | Penalty for Unauthorized Disclosure. |
| 12-503 | Purpose. | 12-509 | Attorney Represents Tribe's Interest in the Enforcement of Child Support Obligations. |
| 12-504 | Definitions. | 12-510 | Notice. |
| 12-505 | Jurisdiction. | | |
| 12-506 | Protection of Participants — Confidentiality of Case Records. | | |

ESTABLISHMENT & MODIFICATION OF CHILD SUPPORT

| | | | |
|--------|--|--------|---|
| 12-511 | Duty to Support Children. | 12-518 | Periodic Review of Child Support Orders. |
| 12-512 | Liability of Stepparent For Support. | 12-519 | Notice of Periodic Review of Child Support Orders. |
| 12-513 | Termination of Parental Rights – Duty of Support. | 12-520 | Obligor's Duties Upon Review – Failure to Provide Information. |
| 12-514 | Support For Children After Majority – Retroactive Application. | 12-521 | Notice of Review Determination. |
| 12-515 | Support by Tribe – Liability of Parent's Estate. | 12-522 | Motion for Amendment of Child Support Order – How Made – Presumption When Obligor's Income Unknown. |
| 12-516 | Allowance to Parent for Support of Child. | 12-523 | Request For Review – Notice of Right to Request Review. |
| 12-517 | Duration of Child Support Obligations. | | |

TRIBAL TANF & ASSIGNMENT OF CHILD SUPPORT PAYMENTS TO THE WTN-CSEP

| | | | |
|--------|---|--------|--|
| 12-524 | Recipients of Tribal TANF - Assignment of Support Payments. | 12-528 | Cooperation with Winnebago Tribe of Nebraska Child Support Enforcement Program (WTN-CSEP). |
| 12-525 | Families-First Distribution of Child Support Arrearages. | 12-529 | Non-Cooperation with the WTN-CSEP. |
| 12-526 | Existing Assignments. | 12-530 | Assignment of Rights; Judgment. |
| 12-527 | Effect of Assignment. | | |

LOCATION OF A MISSING OBLIGOR, ASSETS, AND OBLIGEE BY THE WTN-CSEP

| | |
|--------|--------------------------------------|
| 12-531 | Location Activities of the WTN-CSEP. |
|--------|--------------------------------------|

PAYMENTS, COLLECTIONS, DISTRIBUTION, AND ARREARS

| | | | |
|--------|---|--------|---|
| 12-532 | Mandatory Payment of Child Support Obligations to the WTN-CSEP. | 12-535 | Arrears. |
| 12-533 | Collections and Distribution – General Rule, Current Receipt of Tribal TANF, Former Receipt of Tribal TANF. | 12-536 | Child Support Order – Required Interest Statement on Arrears. |
| 12-534 | Overpayments. | 12-537 | Interest Waived on Arrearages. |
| | | 12-538 | Offsets of Child Support. |
| | | 12-539 | Agreements to Waive Child Support. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

CIVIL REMEDIES FOR ENFORCEMENT OF CHILD SUPPORT ORDERS

| | | | |
|--------|--|--------|--|
| 12-540 | Income Withholding Order. | 12-549 | Income Withholding - Duties and Liabilities of Income Payer under Income Withholding Order. |
| 12-541 | Immediate Income Withholding. | 12-550 | Requests for Information from Income Payer. |
| 12-542 | Subsequent Income Withholding Order – Provision of Notice of Impact of Income Withholding Law to Obligors. | 12-551 | Amendment – Termination of Income Withholding Order. |
| 12-543 | Requests by Obligee for Income Withholding – Approval – Procedures and Standards. | 12-552 | Interstate Income Withholding – Initiation by the Winnebago Tribe of Nebraska to Another Jurisdiction. |
| 12-544 | Procedure – Notice to Obligor. | 12-553 | Child Support Exempt from Process. |
| 12-545 | Hearing Upon Obligor’s Request. | 12-554 | Administrative Seek Employment Orders. |
| 12-546 | Mandatory Federal Income Withholding Form – Effect of Income Withholding Order. | 12-555 | Driver’s License and Occupational License Suspension, Motor Vehicle Lien. |
| 12-547 | Voluntary Income Withholding for Child Support – Limitations. | 12-556 | Contempt Proceedings for Nonpayment of Child Support. |
| 12-548 | Service of Income Withholding Order on Income Payer. | | |

INTERGOVERNMENTAL CHILD SUPPORT CASES –
AFFORDING FULL FAITH AND CREDIT

| | |
|--------|--|
| 12-557 | Full Faith and Credit of Foreign Child Support Orders. |
|--------|--|

REGISTRATION OF FOREIGN CHILD SUPPORT ORDER FOR ENFORCEMENT

| | | | |
|--------|--|--------|---|
| 12-558 | Registration of Foreign Child Support Order for Enforcement. | 12-561 | Notice of Registration of Order. |
| 12-559 | Effect of Registration for Enforcement. | 12-562 | Procedure to Contest Validity or Enforcement of Registered Order. |
| 12-560 | Choice of Law. | 12-563 | Burden on Party Contesting the Registration or Enforcement. |

REGISTRATION OF FOREIGN CHILD SUPPORT ORDERS FOR MODIFICATION

| | | | |
|--------|--|--------|--|
| 12-564 | Registration Child Support Order for Modification. | 12-568 | Effect of Accepting a Transferred Case. |
| 12-565 | Modification of Child Support Order of Another Tribe or State. | 12-569 | Notice of Acceptance of Transferred Case. |
| 12-566 | Application of the Winnebago Child Support Act. | 12-570 | Procedure to Contest the Acceptance of a Transferred Case. |
| 12-567 | Transferring of a Foreign Child Support or Custody Case. | 12-571 | Burden on Party Contesting the Transfer of a Case. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 13
TRIBAL EMPLOYMENT RIGHTS ORDINANCE (TERO)

Adopted September 19, 2005
Amended November 8, 2005
Repealed August 24, 2009
[TCR 05-140; 06-14; 09-114]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 14
ARTICLE 1
PROBATE

| | | | |
|--------|--|--------|---|
| 14-101 | Jurisdiction. | 14-133 | Revocation by divorce; no revocation by other changes of circumstances. |
| 14-102 | General definitions. | 14-134 | Revival of revoked will. |
| 14-103 | Evidence as to death or status. | 14-135 | Incorporation by reference. |
| 14-104 | Records. | 14-136 | Events of independent significance. |
| 14-105 | Oaths. | 14-137 | Requirement that devisee survive testator by one hundred hours. |
| 14-106 | Notices. | 14-138 | Simultaneous death. |
| 14-107 | Renunciation of inheritance. | 14-139 | Rules of construction and intention. |
| 14-108 | Effect of divorce, annulment or decree of separation. | 14-140 | Construction that will passes all property; after-acquired property. |
| 14-109 | Effect of fraud and evasion. | 14-141 | Anti-lapse; deceased devisee; class gifts. |
| 14-110 | Disqualification of a willful slayer. | 14-142 | Failure of testamentary provision. |
| 14-111 | Petition for appointment of administrator or executor. | 14-143 | Exercise of power of appointment. |
| 14-112 | Priorities of appointment. | 14-144 | Non-exoneration. |
| 14-113 | Duties of administrator or executor. | 14-145 | Construction of generic terms to accord with relationship as defined for intestate successions. |
| 14-114 | Oath and letters of appointment. | 14-146 | Ademption by satisfaction. |
| 14-115 | Notice to creditors. | 14-147 | Petition for letters testamentary. |
| 14-116 | Priority of payment of demands against the estate. | 14-148 | Qualification of executor. |
| 14-117 | Distribution of property if no taker. | 14-149 | Appointment of executor. |
| 14-118 | Restrictions on interests. | 14-150 | Duties of executor; bond. |
| 14-119 | Status of heirs. | 14-151 | Creditors. |
| 14-120 | Debts owed to the decedent. | 14-152 | Accounting. |
| 14-121 | Reopening of estates. | 14-153 | Distribution; closing estate. |
| 14-122 | Rule of interpretation. | 14-154 | Distribution; order in which assets appropriated; abatement. |
| 14-123 | Construction. | 14-155 | Property discovered after estate closed. |
| 14-124 | Severability. | 14-156 | Personal representative's and attorney's fees. |
| 14-125 | Citation. | 14-157 | Homestead allowance. |
| 14-126 | Who may make a will. | 14-158 | Exempt property. |
| 14-127 | Execution. | 14-159 | Family allowance. |
| 14-128 | Holographic will. | 14-160 | Source, determination and documentation. |
| 14-129 | Self-proved will. | 14-161 | Applicable law. |
| 14-130 | Who may witness. | | |
| 14-131 | Choice of law as to execution. | | |
| 14-132 | Revocation by writing or by act a will or any part thereof is revoked. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 15
UTILITIES

(As adopted by Resolution #07-53, March 6, 2007)

ARTICLE 1
LEGISLATIVE FINDINGS AND PURPOSE

| | | | |
|--------|--|--------|---|
| 15-101 | Sovereign Power to Regulate. | 15-106 | Illegality of State Tax Collection by Utilities. |
| 15-102 | Critical Need for Utility Regulation on Reservation. | 15-107 | Benefits Provided by Tribal Government to Utilities. |
| 15-103 | Demonstrably Serious Impacts of Utility Activities upon Economic Security, Health and Welfare of the Winnebago Tribe of Nebraska and Winnebago Tribal Members. | 15-108 | Purpose. |
| | | 15-109 | Scope of Services to be Regulated. |
| 15-104 | State Jurisdiction and Regulation Not Applicable within Winnebago Reservation. | 15-110 | Territory, Persons and Property Affected. |
| 15-105 | Finding of Consensual Relations between Utilities Operating Within Reservation and the Tribe, Tribal Members and Non-Members of Tribe. | 15-111 | Explicit and implicit Intention for State Law Preemption. |

TITLE 15
ARTICLE 2
GENERAL PROVISIONS

| | | | |
|--------|---------------------|--------|----------------------|
| 15-201 | Title and Date. | 15-203 | Definition of Terms. |
| 15-202 | Sovereign Immunity. | | |

TITLE 15
ARTICLE 3
WINNEBAGO TRIBAL UTILITY BOARD; REGULATORY

| | | | |
|--------|---|--------|---|
| 15-301 | Creation of Winnebago Tribal Utility Board. | 15-311 | Quorum |
| 15-302 | Number and Selection of Board Members. | 15-312 | Majority Vote. |
| 15-303 | Terms of Office. | 15-313 | General Procedures of the Board. |
| 15-304 | Board Qualifications. | 15-314 | Tribal Utility Account Established. |
| 15-305 | Initial Appointment of the Utility Board. | 15-315 | Jurisdiction of Board. |
| 15-306 | Vacancies. | 15-316 | Powers and Duties of Board With Respect to Utilities. |
| 15-307 | Resignations. | 15-317 | Annual Reports by Utilities. |
| 15-308 | Removals. | 15-318 | Production of Records. |
| 15-309 | Officers of the Board and Duties of Officers. | 15-319 | Investigation. |
| 15-310 | Compensation. | 15-320 | Hearings; Examiner. |
| | | 15-321 | Rules of the Board. |
| | | 15-322 | Board Employees and Expenses. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 15
ARTICLE 4
PUBLIC UTILITIES: RESPONSIBILITIES, DUTIES, REQUIREMENTS

| | | | |
|--------|---|--------|---|
| 15-401 | Duty to Provide Adequate Service. | 15-403 | Duty to Produce Information on Reservation Easements. |
| 15-402 | Unauthorized Utilities Facilities Prohibited. | 15-404 | Disconnection or Discontinuation of Service. |

TITLE 15
ARTICLE 5
ELECTRIC UTILITY SERVICE ON WINNEBAGO RESERVATION

| | | | |
|--------|---|--------|---|
| 15-501 | Assigned Service Areas; Nonexclusive Franchise Requirement. | 15-505 | Energy Conservation & Energy Efficiency. |
| 15-502 | Franchise Service Rights; Term of Franchise. | 15-506 | Lower Income Programs. |
| 15-503 | Interconnection Standards and Obligations. | 15-507 | Environmental Obligations. |
| 15-504 | Net Metering. | 15-508 | Ownership of Wires and Facilities. |
| | | 15-109 | Valuation of Electric Utility Property. [Reserved] |

TITLE 15
ARTICLE 6
TELECOMMUNICATIONS SERVICE
[Reserved]

TITLE 15
ARTICLE 7
WATER SERVICE
[Reserved]

TITLE 15
ARTICLE 8
WASTEWATER SERVICE
[Reserved]

TITLE 15
ARTICLE 9
GAS UTILITIES
[Reserved]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 15
ARTICLE 10
HEATING UTILITIES
[Reserved]

TITLE 15
ARTICLE 11
OTHER UTILITIES
[Reserved]

TITLE 15
ARTICLE 12
TRIBAL UTILITY BOARD – ENTERPRISE
[Reserved]

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 16
CIVIL TRESPASS

ARTICLE 1
CIVIL TRESPASS STATUTE

| | | | |
|--------|-------------------------------|--------|---|
| 16-100 | Citation. | 16-109 | Review by the Chief Administrative Officer. |
| 16-101 | Purpose. | 16-110 | Request for Tribal Council Review. |
| 16-102 | Definitions. | 16-111 | Appeal. |
| 16-103 | Applicability. | 16-112 | Actions in the Tribal Court. |
| 16-104 | Notice of trespass. | 16-113 | Severability. |
| 16-105 | Enforcement. | 16-114 | Effective Date. |
| 16-106 | Enforcement by United States. | 16-115 | Amendment. |
| 16-107 | Civil penalties. | | |
| 16-108 | Interest on penalties. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 17
INTERESTS IN REAL PROPERTY
ARTICLE 1
PART A
GENERAL PROVISIONS

| | | | |
|--------|---------------------------------------|--------|------------------------------------|
| 17-201 | Applicability of Article and purpose. | 17-205 | Priority. |
| 17-202 | Tribal Court Jurisdiction. | 17-206 | Tribal Notice. |
| 17-203 | Definitions. | 17-207 | Service of Process and Procedures. |
| 17-204 | Recording. | | |

TITLE 17
ARTICLE 1
PART B
EVICTION PROCEDURES

| | |
|--------|--------------------|
| 17-208 | Unlawful Detainer. |
|--------|--------------------|

TITLE 17
ARTICLE 1
PART C
FORECLOSURE OF INTERESTS IN REAL PROPERTY

| | | | |
|--------|---|--------|---|
| 17-216 | Filing of petitions. | 17-229 | Application of proceeds to discharge of debt and ownership surplus. |
| 17-217 | Cure of default by subordinate lienholder or other lienholder. | 17-230 | Disposition of unclaimed surplus. |
| 17-218 | Judgment in favor of the secretary for default of leasehold mortgage. | 17-231 | Cure period. |
| 17-219 | Sale of premises ordered by Tribal Court. | 17-232 | Stay of proceedings upon payment by defendant of sums due. |
| 17-220 | Limitation on power of Tribal Court. | 17-233 | Sale of premises in parcels. |
| 17-221 | Suspension of activity on debt. | 17-234 | Order of sale upon default in payment of installments. |
| 17-222 | Inclusion of co-debtor in action. | 17-235 | Sale of entire property. |
| 17-223 | Complainants; disclosure obligations. | 17-236 | Disposition of proceeds of sale of entire property. |
| 17-224 | Effect of prior judgment. | 17-237 | Actions to be taken upon satisfaction or payment. |
| 17-225 | Sale of premises by police or Tribal Court officer. | 17-238 | Fee lands not affected. |
| 17-226 | Publication and posting notice of sale. | 17-239 | Fee land foreclosures. |
| 17-227 | Content of notice. | | |
| 17-228 | Transfer of property to purchaser. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 18
GUARDIANSHIP AND CONSERVATORSHIP

(As adopted March 9, 2011)

TITLE 18
ARTICLE 1
PRELIMINARY PROVISIONS

| | | | |
|--------|------------------------|--------|--|
| 18-101 | Citation. | 18-107 | Severability. |
| 18-102 | Declaration of policy. | 18-108 | Construction. |
| 18-103 | Authority. | 18-109 | Applicability of Rules of Civil Procedure. |
| 18-104 | Jurisdiction. | 18-110 | Penalties. |
| 18-105 | Civil action. | 18-111 | Effective Date. |
| 18-106 | Definitions. | | |

TITLE 18
ARTICLE 2
PROCEDURES AND PROVISIONS APPLICABLE TO
GUARDIANSHIPS AND CONSERVATORSHIPS

| | | | |
|--------|--|--------|---|
| 18-201 | Pleadings. | 18-216 | Letters of guardian or conservator issued. |
| 18-202 | Reports. | 18-217 | Oath – acceptance of appointment. |
| 18-203 | Combining Petitions. | 18-218 | Effect of appointment – ward. |
| 18-204 | Same person as Guardian and Conservator. | 18-219 | Legal effect of appointment. |
| 18-205 | Service. | 18-220 | Compensation of guardian or conservator. |
| 18-206 | Waiver of notice. | 18-221 | Self-dealing by guardian or conservator. |
| 18-207 | Proof of Service. | 18-222 | Liability of guardians and conservators. |
| 18-208 | Notice – commencement of action. | 18-223 | Tort liability of guardians or conservators. |
| 18-209 | Notice of hearing or trial. | 18-224 | Cause for termination; general. |
| 18-210 | Hearing procedure. | 18-225 | Cause for termination; restoration of capacity. |
| 18-211 | Burden of persuasion; General provisions. | 18-226 | Cause for termination; resignation or removal proceedings. |
| 18-212 | Representation. | 18-227 | Appointment of successor guardian or conservator. |
| 18-213 | Preference for appointment of guardian and/or conservator; minor. | 18-228 | Powers of successor guardian or conservator. |
| 18-214 | Preference for appointment of guardian and/or conservator; adult. | 18-229 | Limit on application to terminate. |
| 18-215 | Affidavit of guardian and/or conservator. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 18
ARTICLE 3
GUARDIANSHIP

| | | | |
|--------|--|--------|--|
| 18-301 | Natural guardians; parental preference. | 18-312 | Bond. |
| 18-302 | Petition for Appointment of Guardian. | 18-313 | Reporting requirements – guardian. |
| 18-303 | Notification of Guardianship Powers. | 18-314 | Guardian’s compensation. |
| 18-304 | Powers and duties of Guardian; general. | 18-315 | Property delivered – penalty. |
| 18-305 | Powers and duties of Guardian; subject to approval of the Court. | 18-316 | Testamentary appointment of guardian for incapacitated person. |
| 18-306 | Powers and duties of Guardian; other. | 18-317 | Termination of guardianship for incapacitated person; liability for prior acts; obligation to account. |
| 18-307 | Powers and duties of guardian of a minor. | 18-318 | Testamentary appointment of guardian of minor. |
| 18-308 | Qualification of guardian. | 18-319 | Objection by minor of fourteen or older to testamentary appointment. |
| 18-309 | Appointment of guardian based on incompetency. | | |
| 18-310 | Appointment of guardian based on minority. | | |
| 18-311 | Appointment of temporary guardian. | | |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 18
ARTICLE 4
CONSERVATORSHIP

| | | | |
|--------|--|--------|--|
| 18-401 | Petition for appointment of conservatorship. | 18-424 | Filing of claim required. |
| 18-402 | Permissible court orders. | 18-425 | Compelling payment of claims. |
| 18-403 | Notification of conservatorship powers. | 18-426 | Allowance by conservator. |
| 18-404 | Appointment of conservator. | 18-427 | Execution and levy prohibited. |
| 18-405 | Appointment of temporary and/or limited conservator. | 18-428 | Claims of conservators. |
| 18-406 | Duties of conservator. | 18-429 | Claims not filed. |
| 18-407 | Powers of conservator without further Court order. | 18-430 | Liens not affected by failure to claim. |
| 18-408 | Powers of conservator subject to the approval of the Court. | 18-431 | Pending actions. |
| 18-409 | Powers of ward. | 18-432 | General denial of claims. |
| 18-410 | Qualification of conservator. | 18-433 | Disallowance of claim by conservator. |
| 18-411 | Bond. | 18-434 | Notice of disallowance and request for hearing. |
| 18-412 | Amount of bond. | 18-435 | Notice of disallowance; proof of service. |
| 18-413 | Bond – approval by Clerk. | 18-436 | Notice of disallowance; claims barred after twenty days. |
| 18-414 | Review by Clerk when inventory is filed. | 18-437 | Request for hearing by claimant. |
| 18-415 | Bond changed. | 18-438 | Applicability of Rules of Civil Procedure to hearing on claim. |
| 18-416 | Obligees of bond – joint and several liability. | 18-439 | Payment of claims in insolvent conservatorships. |
| 18-417 | Order for delivery. | 18-440 | Conservator may make gifts. |
| 18-418 | Inventory – reporting requirements. | 18-441 | Assets exhausted. |
| 18-419 | Title to ward’s property. | 18-442 | Accounting to ward upon termination – notice. |
| 18-420 | Conservator’s right to possession. | 18-443 | Delivery of assets. |
| 18-421 | Presumption of fraud. | 18-444 | Discharge of conservator and release of bond. |
| 18-422 | Claims against ward, conservatorship, or conservator in that capacity. | 18-445 | Removal of conservator by Court. |
| 18-423 | Forms and verification of claims filed with Clerk. | 18-446 | Property delivered – penalty. |

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 19
TRIBAL EDUCATION CODE
(As adopted October 19, 2020)

ARTICLE 1
GENERAL PROVISIONS

19-100 Authority. 2-103 Definitions.
19-101 Purpose.

TITLE 19
ARTICLE 2
TRIBAL EDUCATION AGENCY

19-200 Establishment. 19-202 Tribal Education Advisory Board.
19-201 Tribal Education Department.

TITLE 19
ARTICLE 3
DATA AND REPORTING

19-300 Copies of and Access to Tribal Education Data and Reports. 19-303 State of Reservation Education Report.
19-301 Data Sharing. 19-304 Recommendation of Tribal Education Department.
19-302 Review and Analysis of Tribal Education Data and Reports. 19-305 Tribal Student Database.

TITLE 19
ARTICLE 4
PLANNING

19-100 Tribal Education Plan.

TITLE 19
ARTICLE 5
COORDINATION AND CONSULTATION

19-500 Coordination. 19-501 Consultation.

TITLE 19
ARTICLE 6
RESOURCES AND TECHNICAL ASSISTANCE/ TRAINING

19-600 Resources. 19-601 Technical Assistance/ Training.

WINNEBAGO TRIBAL CODE
TABLE OF CONTENTS

TITLE 19
ARTICLE 7
LANGUAGE, CULTURE AND HISTORY

| | |
|--|--|
| 19-700 Importance to Education. | 19-703 Coordination with Tribal Historic Preservation Department. |
| 19-701 Curriculum Requirement. | 19-704 Coordination to Achieve American Indian Teacher Requirements. |
| 19-702 Coordination with Tribal Language Programs. | |

TITLE 19
ARTICLE 8
MISCELLANEOUS PROVISIONS

| | |
|------------------------------------|----------------------------|
| 19-800 Effective Date. | 19-303 Severability. |
| 19-801 Repeal of Inconsistent Law. | 19-304 Sovereign Immunity. |
| 19-802 Amendments. | |

TITLE 19
ARTICLE 9
APPROPRIATIONS

| |
|-----------------------|
| 19-900 Authorization. |
|-----------------------|
