

ARTICLE VI. WITNESSES

6.01 Subpoenas

A Judge of the Quileute Tribal Court shall issue subpoenas for the attendance of witnesses either on his own motion or on the request of the Law and Justice Administrator or any of the parties to the case which subpoena shall bear signature of the judge issuing it. Failure to obey such subpoena shall be deemed an infraction and shall be fined not more than \$75.00. Service of such subpoenas shall be by a regularly acting member of the tribal police or by a person appointed by the court for that purpose.

6.02 Fees

Each witness answering such subpoena shall be entitled to a fee of \$5 a day for each day his services are required in court, plus \$.205 per mile for travel to and from the court. Witnesses who testify voluntarily shall be paid their actual traveling and living expenses incurred in the performance of their function by the party calling them, if the Court so directs.

6.03 Swearing in Witnesses

All witnesses shall be administered on oath by the Court as follows: "Do you swear (or affirm) to tell the truth in the matter now before you?"

ARTICLE VII. SPOKESPERSONS

7.01 Spokespersons Appearing in Tribal Court

Any person appearing in Tribal Court shall have the right to a spokesperson at his own expense, to assist him in presenting his case, provided that such spokespersons shall first have been admitted to the Tribal Court Bar. The Court may appoint a spokesperson to assist any person if, in the discretion of the Court, it appears necessary to protect such person's rights. A spokesperson need not be an attorney.

7.02 Tribal Court Bar - Admission

To be admitted to the Tribal Court Bar, a person must: (1) be of good moral character, (2) be approved by the Tribal Court, (3) sign and take the spokesperson's Oath, (4) pay the Tribal Court Bar administration fee, (5) be at least eighteen years of age.

7.03 Spokesperson's Oath

The oath which all persons desiring to appear as spokesperson in the Tribal Court shall take is as follows:

"Spokesperson's Oath"

Quileute Indian Reservation, ss.

I, _____ do solemnly Swear:

1. I have read the Quileute Law and Order Code and am familiar with its contents;
2. I will support the Constitution of the Quileute Tribe in all respects;
3. I will abide by the rules established by the Quileute Tribal Council and the Quileute Tribal Court;
4. I will at all times maintain the respect due the Tribal Court and its officers;
5. I will not counsel or speak for any suit or proceeding which shall appear to be unjust, or any defense except such as I believe to be honestly debatable under the law of the Quileute tribe, unless it be in defense of a person charged with a public offense.
6. I will employ such means only as are consistent with truth and honor and will never seek to mislead a judge or jury by any false statements.
7. I will abstain from all offensive conduct in the Tribal Court.

Subscribed and sworn to before me this _____ day of _____, 19____.

7.04 Tribal Court Bar Roster

The clerk of the Tribal Court will maintain a roster of all spokespersons admitted to practice before the Tribal Court. The clerk will also keep on file the signed oaths of all such persons.

7.05 Tribal Court Bar - Disbarment

Any spokesperson violating the spokesperson's Oath shall be subject to disbarment. The Tribal Court Judge shall prepare in writing a complaint against such spokesperson including reasons for disbarment. Within ten days of receipt of such complaint, the Court of Appeals shall hold a hearing at which time the spokesperson involved may present witnesses and a defense of his actions. The decision of the Court of Appeals shall be final.

7.06 Contempt of Court

Any spokesperson failing to maintain the respect due the Tribal Court or engaging in offensive conduct in the courtroom shall be deemed guilty of contempt of court and subject to immediate sentencing by the Tribal Court Judge to imprisonment for a period not to exceed 3 days, or a fine not to exceed \$100, or both the jail sentence and fine.

7.07 Appeal

Any person denied admission to the Tribal Court bar or any spokesperson found guilty of contempt of court by the Tribal Court Judge may appeal to the Court of Appeals. Such person or spokesperson shall have the right to a hearing before such panel within 10 days of his denial or conviction and shall have the right to present witnesses and present defense. The decision of a majority of the Court of Appeals shall be final.

7.08 Tribal Court Bar Admission Fee.

Every person wishing to appear as the spokesperson in the Tribal Court will pay an admission fee of \$5.00. Such fee is to be used for the purpose of maintaining a Tribal Court Law Library. A judge may waive the Tribal Court Bar admission fee for good cause shown.