

ROSEBUD SIOUX TRIBAL COURT)
ROSEBUD INDIAN RESERVATION)
ROSEBUD, SOUTH DAKOTA)

IN TRIBAL COURT

IN THE MATTER OF THE COURT *
RULE FOR PRO BONO *
REPRESENTATION AND COURT *
APPOINTED SPECIAL PROSECUTOR *
AND SPECIAL PUBLIC DEFENDER *
COMPENSATION *

SECOND AMENDED
COURT RULE 17-05

**COURT RULE FOR COMPENSATION OF COURT APPOINTED SPECIAL
PROSECUTORS AND SPECIAL PUBLIC DEFENDERS**

Title Nine, Chapter Two, Section Seven, Attorneys and Lay Counsel provides:

“Any person admitted to practice before the Tribal Court will accept and represent indigent clients without compensation or without full compensation when directed to do so by a Judge of the Tribal Court.”

Based upon the foregoing provision, the Court adopts the following rule:

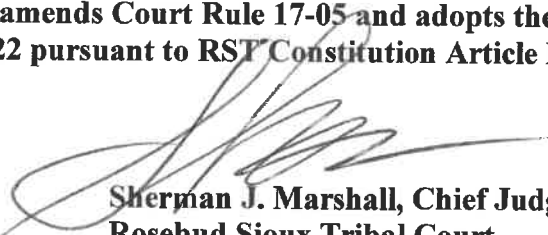
- 1. All active members of the Sicangu Oyate Bar Association shall be appointed to represent one indigent client without compensation one time per calendar year.**
- 2. All active members of the Sicangu Oyate Bar Association willing to provide services as a court appointed Special Prosecutor or Special Public Defender will be paid \$100 per hour. Travel will be paid at \$1.00 per mile which includes the use of the vehicle and the attorneys travel time to/from the Rosebud Sioux Tribal Courts from his/her home/business address.**
- 3. Court appointed attorneys are to provide separate monthly invoices to the Court’s Director of Administration each month for each case the court appointed attorney has rendered services on as follows:**
 - A. Invoices shall be submitted by the 10th of each month for the previous month;**
 - B. Invoices are to list every task the court appointed attorney completed during the month separately with the amount of time spent on each task. Block billing, overhead and legal assistant/clerical time spent on a case will not be allowed or paid;**
 - C. Invoices shall have the order of appointment for each case attached; and**

D. Invoices shall have the docket number(s) of each case noted.

E. Expenses other than the court appointed attorney's time and travel costs in each case, i.e., depositions, expert witnesses, laboratory analyses, etc., must be pre-approved by the Court's Director of Administration prior to incurring said expenses.

4. If the full amount of the claim for fees is not approved by the Court's Director of Administration, the court appointed attorney may request that the Chief Judge review the claim. The Chief Judge may confer with the Associate Judges on the matter or convene a hearing of the Associate Judges. The decision of the majority of the Associate Judges shall determine the amount of the claim for fees to be paid.

The Rosebud Sioux Tribal Court hereby amends Court Rule 17-05 and adopts the amendments set out herein on May 2, 2022 pursuant to RST Constitution Article XI Sec. 4.



**Sherman J. Marshall, Chief Judge
Rosebud Sioux Tribal Court**

I, Denita Whipple, Chief Clerk of Courts, hereby certify that the foregoing is a true and correct copy of the amended Court Rule 17-05 entered by the Court on May 2, 2022.



**Denita K. Whipple, Chief Clerk of Courts
Rosebud Sioux Tribal Court**