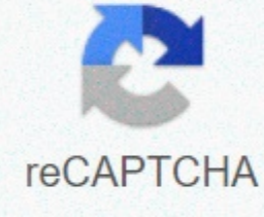




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The Tribal Council, led by the Constitution of the Seminole Tribe of Florida, in Article X, has established the division of the judicial branch of the government to be known as the Seminole Court. The powers of the Seminole Court are vested in the Seminole Tribe of Florida Court of Appeals and the Seminole Tribe of Florida Trial Court. The Seminole Court has broad civil jurisdiction to hear cases and disputes that are brought before the Court. MISSION STATEMENT The Tribal Court will insure a fair, effective and impartial resolution of the conflict for all persons who come to justice. The court will respect the customs and traditions of the Seminole tribe in Florida and ensure that the rights and powers inherent in the tribe's sovereign status are secure. SEMINOLE TRIAL COURT Seminole Trial Court consists of the Chief Justice and two associate judges. All Seminole Court judges must be members of the Seminole Tribe of Florida under the Tribal Constitution and must comply with the Seminole Tribal Court Code of Judicial Conduct. The Chief Justice or one of his associate judges will hear cases filed in court trial. The Trial Court has judicial counsel for staff who provide advice and assistance to judges in matters of law and procedure. SEMINOLE COURT OF APPEALS common court of seminole appeals court consists of the President of the Supreme Court and two associate judges. All judges of the Seminole Court of Appeal must be members of the Seminole Tribe of Florida under the Tribal Constitution and must comply with the Seminole Tribal Court Code of Judicial Conduct. Appeals from the Court of Appeals will be heard by a panel of the court's three appeal judges. The decision of the Court of Appeal cannot be overturned by the tribal council. United States Supreme Court case Seminole Nation v. United States Supreme Court of the United States Argued April 1-2, 1942 Judicated May 11, 1942 Full name of the case Seminole Nation v. United States Discovery 316 USA 286 (more) 62 S. Thu. 1049; 86 L. Ed. 1480; 1942 U.S. LEXIS 608 Membership of the Court Chief Justice Harlan F. Stone Associate Justices Owen Roberts · Hugo Black Stanley F. Zed · Felix Frankfurter William O. Douglas · Frank Murphy James F. Byrnes · Robert H. Jackson Case Opinions Majority, joined by Stone, Roberts, Black, Frankfurter, Douglas, Byrnes Dissent Jackson Reed did not participate and considered or decided the case. Seminole Nation v. The United States of America, 316 U.S. 286 (1942), was the U.S. Supreme Court case. Background The original lawsuit was settled by the court of claims in favor of the plaintiff, Seminole Nation, amounting to \$1,317,087.27. The Supreme Court annulled that decision on the grounds of interest in jurisdiction. The jurisdictional barrier was then removed by law and the Seminole Nation of Oklahoma filed a second amended motion in the Claims Court, which reaffirmed six claims that had previously been dismissed supreme court. The court of claims denied the three claims entirely, allowed one in full and two in part. However, the United States was entitled to tipping compensation of \$705,337.33, and as such, the second amended proposal was rejected. The Supreme Court granted certiorari on a motion invading a lower court's decision on each of the five actions, which were dismissed in whole or in part. The Court also agreed to review the points included in the list of compensations for tipping by the Court of First Justice. An opinion by the Court Holding Court found three out of five Seminole Nation claims for compensation from the United States government to be without merit. The remaining two claims were transferred to the Lower Claims Court to determine whether the government had breached its fiduciary duty to the Seminoles by not paying tribal leaders with knowledge of the potential for mismanagement of funds. Relevance This case is often cited as a body for applying fiduciary principles to the government in the administration of Indian affairs. [1] Summary of seminole nation's claims for reimbursement relating to the language contained in the Treaties of 1856 and 1866 and various agreements and acts of Congress. The nation's claims were divided into five separate items. The Court rejected the first application for compensation, noting that the Treaty of 21 December 1988 on the application of article 87 of the TREATY to the European Parliament and of the Council of 21 December 1988 on the application of article The third request for reimbursement rejected the finding that the annual interest on the trust fund established under the 1866 Treaty was in fact targeted at the intended purpose (support for local schools). The fourth lawsuit is also in reference to an 1866 contract that further established that the government build, at a cost not exceeding ten thousand (\$10,000) dollars, suitable agency buildings' on the Seminole Reservation. The Claims Court found that \$10,000 was spent on fulfilling this contract obligation in 1872, and the agency building was built on a reservation in 1873. Seminole Nation does not claim that the building was inappropriate, and the contract required the government to build a suitable building that did not exceed \$10,000. The government's commitment was fulfilled and the fourth claim was rejected. As regards the second and fifth actions, the case was acquitted by the lower court for other factual findings of fact. The second claim concerned the language of Article VIII of the 1856 Treaty, which stimated that the government establish a \$500,000 trust fund with an annual interest that would be distributed equally among the members of the Seminole tribe. Between 1870 and 1874, the government made payments totaling \$66,422.64. Part of this amount paid to the tribal treasurer and the remainder was paid to the tribe's designated creditors. This distribution arrangement was requested by the General Council of Seminole. The Seminole Nation claimed that the contract was violated because an anuit payments were made to the General Council when the Treaty sti provided that payments be made per capita for the benefit of each individual Indian. The Court found the merits of this claim and cited the well-established principle of fairness that a third party who pays money to the trustee, knowing that the confidant intends to misuse money or otherwise falsely for his trust, is a participant in a breach of trust and is therefore liable to the recipient. As early as 1870, the Commissioner for Indian Affairs received reports of an unfair distribution of funds, recommending that the provisions of the Treaty be strictly enforced[.] The court also described the government's responsibility to Indian tribes as a moral obligation of highest responsibility and trust. It is with this standard that the Court of Justice has re-examined the case in court. The fifth request for reimbursement relates to payments made during fiscal years 1899 to 1907, which amounted to \$864,702.58. These payments were made by the Seminole tribal treasurer. Although the court found that the government had not acted improperly by paying the treasurer (since the provision did not provide for a per capita distribution), the Court of First Course stated that it could still be held liable if it breached its fiduciary duty in the above manner. It has been documented that the Commission of Five Civilized Tribes reported to Congress and the Interior Minister rampant corruption in tribal governments before payments were made to Treasurer Seminole. Even more sharply, in January 1898, the Minister of the Interior and the Commissioner for Indian Affairs were informed of complaints of mismanagement, poison and fraud by Seminole's leaders[.] The court took the two claims to a lower court for further findings of fact to determine whether the government had breached its fiduciary duty. The court instructed that if government officials made payments to tribal leaders with knowledge of their corruption and potential mismanagement, the government would be held accountable and responsible for reimbursing the Seminole Nation. Finally, the Court has held that, when examining unjustified compensation, the Court must determine the precise expenditure to be set off against the government's liability in order to avoid double credit. That part was also transferred to the lower court for further examination. Notes ^ David H. Getches, Charles F. Wilkinson & Robert A. Williams, Jr., Cases and Materials at Federal Law, 342 (5. External links Text of Seminole Nation in. United States, 316 US 286 (1942) is available at: Justia Library of Congress Retrieved from P.O. Box 2307 & 121578 NS 3540 Seminole, OK 74818 405-303-2251 405-303-2212 FAX (405) 303-2261 Content General Information Code Link Contact Information Seminole Nation Laws is regularly updated and bookmarked pdf is available on the official seminole nation website via the following link. Last review and update: July 29, 2017 18. kesakuuta 2019 kello 21.13 · Tribal Court judges swear in. SEMINOLE, Oklahoma- New Associate Judges were sworn in at an oath-in ceremony held Friday, June 14 at 10:00 a.m. at the House General Council in Mekusukey Mission. Pictured (left to right) are the new Associate Judges for Seminole Nation District Court Honorable Robert Gifford and the Venerable Lisa Otipoby-Herbert, with Chief Justice Seminole Nation Supreme Court Honorary Judge Roger Wiley. Photo Tiffany Ramirez Day 18! Challenge: 20 High Knees 20 sec Planks 12 Lunges X3 At an early age, Louisa Harjo (Seminole/Creek) became interested in her culture. With the learning and support of her family, she began entering tribal competitions, sewing Seminole patchwork, painting, fashion design and even started her own business when she was 12 years old. Louisa, a senior at Okemah High School, is running for Miss Teen Oklahoma. In the latest installment of the Seminole Nation Spotlight series, Louisa shares her story. 15 tammiukuuta kello 17.34 · Seminole Nation will close on Monday, January 18, 2021, for Martin Luther King Jr. Day. Social distance, wear a mask and wash your hands during this pandemic. Mvto, what blesses. Mvto, what blesses.

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