

**ORDINANCE
OF THE GOVERNING BODY OF
THE CONFEDERATED SALISH KOOTENAI TRIBES
OF THE FLATHEAD RESERVATION, MONTANA**

**BE IT ENACTED BY THE TRIBAL COUNCIL OF THE CONFEDERATED
SALISH AND KOOTENAI TRIBES THAT AMENDMENT NO. 28 SHALL
AMEND ORDINANCE 103-A AS FOLLOWS:**

Title III, Chapter 1, Part 1, Domestic Relations is hereby amended by inserting the new section to Ordinance 103-A as follows:

3-1-113. Grandparent Contact.

(1) Purpose.

Elders are very important and highly respected within our tribal structure. They are the caretakers of our rich culture and traditions. Therefore, the Confederated Salish and Kootenai Tribes in recognition wish to emphasize elder's rights and protection by making them a part of our laws.

(2) Visitation Rights of Grandparents.

The Court, in its discretion, may grant visitation rights with or without petition by the grandparents, the great grandparents, or any other person defined by law or custom of the tribes if it is in the best interest of the grandchild(ren).

(3) Petition for Visitation Rights by Grandparents.

The grandparents, the great grandparents or any other person defined by law or custom of the tribes if it is in the best interest of the grandchild(ren) may petition the Court for grandchild(ren) visitation rights in the following circumstances:

(A) The parents of the child(ren) are divorced, legally separated or no longer in a relationship; or

(B) An action for divorce or separate maintenance has been commenced by one of the parents of the child(ren); or

(C) The parent of the child(ren), who is the child of the grandparent, has died.

(4) Visitation Right Exceptions.

The preceding provisions cited in Section 1, 2, and 3, inclusive, do not apply if the child(ren) has/have been placed for adoption with a person other than the child(ren)'s stepparent or grandparent. Any grandparent visitation rights granted pursuant Section 1, 2, or 3, inclusive, prior to placement for adoption of the child(ren), are terminated upon the adoption, except in the case of an open adoption.

CERTIFICATION

The foregoing Amendment 28 to Ordinance 103-A was adopted by the Tribal Council on November 29, 2012, with a vote of _____ for; _____ opposed; and _____ not voting pursuant to authority vested in it by Article VI, Section 1 (a), (l), (n), (q), (r) and (u) of the Tribes' Constitution and Bylaws; said Constitution adopted and approved under Section 16 of the Act of June 18, 1934 (48 Stat. 984), as amended.

CONFEDERATED SALISH AND
KOOTENAI TRIBES:

Tribal Chairman

ATTEST:

Tribal Secretary