

## IN THE SUPREME COURT OF THE OSAGE NATION

### In Re: OSAGE NATION BAR ASSOCIATION

The Supreme Court of the Osage Nation does hereby create and continue an association of the members of the bar of the former Osage Tribe and the present Osage Nation to be known hereafter as the Osage Nation Bar Association, and promulgates the following rules for the government of the Association and the individual members thereof:

#### ARTICLE I

- § 1:** The Osage Nation Bar Association (hereafter ONBA) is an official arm of the Court when acting for and on behalf of this Court in the performance of the Court's governmental powers and functions.
- § 2:** Persons admitted to practice law in the Courts of the Osage Nation are a part of the judicial system and officers of those Courts.
- § 3:** Prior to admission, the candidate shall take and subscribe of the oath prescribed by Article IX of the Constitution of the Osage Nation.

#### ARTICLE II

- § 1:** Membership in the ONBA shall consist of those persons who are and remain licensed to practice law in the Courts of the Osage Nation.
- § 2:** Membership in the ONBA shall be of two classes, Active and Associate.
- (a) Active Membership shall consist of those persons admitted to practice in any tribal, state or United States Court that requires at least a degree of LLB or J.D. in possession of the candidate for purposes of practice therein.
  - (b) Associate membership shall consist of those persons not eligible for active membership but can demonstrate their legal knowledge to an Admissions Committee formed for the purpose of examining the fitness and qualifications of those persons who have filed a Petition for Membership with the Clerk of the Courts.
- § 3:** The Supreme Court may appoint members to examine candidates for Associate Membership in conference by electronic means.

The Chief Judge of the Trial Court shall be, ex officio, a member of the Committee and if in attendance, shall preside.

- § 4:** The Admissions Committee shall file its Report with the Clerk along with a Motion

to Admit, if the Report be favorable, for transmission to the members of the Supreme Court for consideration.

### ARTICLE III

**§ 1:** Each Active and Associate member shall pay to the Clerk of the Courts dues in the amount of \$100.00 on or before the 30th day of September, 2008, and annually thereafter.

**§ 2:** The Clerk shall report the non-payment of dues to the Chief Justice who, after conferring electronically with the Associate Justices and with their consent, may enter an Order suspending the non-paying member from practice in the Courts of the Osage Nation.

### ARTICLE IV

**§ 1:** There shall be an annual meeting of the members of the ONBA to elect a President, Vice President, Secretary and Treasurer.

**§ 2:** Upon notification in writing of the election of a treasurer and the establishment of an ONBA account the Clerk of the Courts shall pay to said Treasurer all dues collected.

### ARTICLE V

**§ 1:** Discipline by this Court shall be disbarment, suspension from practice, public censure or private reprimand.

The Court may suspend or defer imposition subject to fulfillment of specified conditions by the respondent.

**§ 2:** Prescribed Standards of Conduct for Members of the ONBA are:

(c) The Code of Ethics found in Article X of the Constitution of the Osage Nation.

(d) The American Bar Association Rules of Professional Conduct as adopted the 2<sup>nd</sup> day of August, 1983.

**§ 3:** The commission by any member of the ONBA of any act contrary to the Prescribed Standards of Conduct whether in the course of his or her professional capacity, or otherwise, which act would reasonably be found to bring discredit upon the legal profession, the Osage Nation, or both, whether or not the act is a felony or misdemeanor or a crime at all.

Conviction in a criminal proceeding is not a condition precedent to imposition of discipline nor shall the failure to specify any particular act of misconduct be deemed a tolerance thereof.

**§ 4:** The Supreme Court upon its own motion or upon the filing of a complaint against a member of the ONBA with the Clerk of the Courts by any person subject to the jurisdiction of the Courts of the Osage Nation, the President of the ONBA shall appoint a Committee to hear the complaint and examine the member complained against and file a report directed to the Supreme Court containing findings and recommended discipline.

The aforesaid Committee shall adopt appropriate procedures governing the manner in which it discharges its responsibilities to ensure administrative due process.

Done this 25<sup>th</sup> day of June, 2008, in conference, the Associate Justices concur.

For the Court,



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Charles H. Lohah,  
Chief Justice