

RESUME OF FRANK S. LAFOUNTAIN

Frank S. LaFountaine
1201 River Drive, Apt. 29
Coulee Dam, Washington 99116
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Internet Web Site: <http://www.geocities.com/fslafountaine>

Personal Data: **Date of Birth:** December 26, 1947
 Place of Birth: Seattle, Washington
 Martial Status: Single
 Children: one daughter, Amy

Member of the Colville Confederated Tribes: Yes: Enrollment No. 2556

Education:

Law School: The University of Washington School of Law
Juris Doctor degree, awarded in June 1973

College: Seattle Pacific College
Bachelors of Arts degree, awarded in June 1970
Graduated Magna Cum Laude with a grade point of 3.74 out of 4.00

High School: Evergreen High School, Seattle, Washington
Graduated: June, 1966

Bar Memberships: Washington State Bar Association, admitted 1973
Western Washington Federal Bar, admitted 1974
Eastern Washington Federal Bar, admitted 1984
Colville Tribal Court Bar, admitted 1984

Veteran: No

Publications: Indian Property and State Judgment Executions,
 Oregon Law Review, Vol. 52, Spring, 1973

 Criminal Jurisdiction Over Non-Indian Lands Within
 the Limits of Indian Reservations,
 Willamette Law Journal, Vol. 9, No. 2, June, 1973

 The Native American Credit Problem,
 American Indian Law Review, Vol. II, No. 1 Summer, 1974

Miscellaneous Information:

I was also an appellate court judge for the Court of Appeals of the Colville Confederated Tribes from June, 1995 to June, 1997.

I was the President of the Grand Coulee Lions Club in 1984, and I was Junior Governor of the Grand Coulee Moose Lodge in 1984.

Work Experience:

I. Employer: Self Employed
Frank S. LaFountaine
Attorney at Law
1201 River Drive, Apt. 29
Coulee Dam, Washington 99116

A. Dates of Employment: From January 1, 2001 to Present

B. Title of Job: Private Practice (Attorney at Law)

C. Supervisor: self-employed

D. Job Description:

I have a private law practice in Coulee Dam, Washington. My practice was mainly devoted to defending criminal defendants in the Colville Tribal Court.

II. Employer: Colville Confederated Tribes
Colville Tribal Court
P.O. Box 150
Nespelem, Washington 99155
(509) 633-2500

A. Dates of Employment: From June 20, 1998 to January 1, 2001

B. Title of Job: Associate Judge

C. Supervisor: Steve Aycock, Chief Judge

D. Reasons for Leaving: Health reasons

E. Job Description:

I was a trial judge for the Colville Tribal Court. I heard civil cases and criminal cases, and I presided over myriad civil judge trials. I heard child dependency cases and debt collection cases. I performed all tasks performed by a full-time trial judge. I mainly was a Family Court Judge.

III. Employer: Colville Confederated Tribes
Office of Tribal Prosecuting Attorney
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 710

A. Dates of Employment: From November 25, 1997 to June 20, 1998

B. Title of Job: Deputy Tribal Prosecuting Attorney

C. Supervisor: David Ward, Lead Deputy Prosecuting Attorney

D. Reasons for Leaving: I need better paying job for retirement savings as I am not getting any younger.

E. Job Description:

As a Deputy Prosecuting Attorney, I represented the Colville Confederated Tribes in criminal prosecutions in the Colville Tribal Court. I handled all aspects of criminal trial work in the Tribal Court. I reviewed the work and criminal investigations of Tribal Police Officers, prepared criminal complaints for filing with the Tribal Court, appeared for the Tribe at arraignments, bail hearings, pre-trial conferences, sentencing hearing, etc. I participated in many judge trials and jury trials for the Tribe. I did a lot of pre-trial legal research and negotiations. I filed major appellate briefs with the Colville Tribal Court of Appeals and represented at the Colville Confederated Tribes at appellate hearings.

IV. Employer: Colville Confederated Tribes
Colville Tribal Gaming Commission
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 535

A. Dates of Employment: From June 17, 1997 to November 25, 1997

B. Title of Job: Tribal Gaming Agent

C. Supervisor: Ronald Stanger, Tribal Gaming Agent Supervisor

D. Reasons for Leaving: I finally got the hint from my co-workers that I was too qualified for the job.

E. Job Description:

I was a Gaming Agent, and I am assigned to the Coulee Dam Casino. I enforced the Tribal Gaming laws and regulations at the casino and protected the assets of the Colville Confederated Tribes at the Coulee Dam Casino.

V. Employer: Mill Bay Casino
Manson, WA
(800) 648-2946

A. Dates of Employment: From May 18, 1997 to June 17, 1997

B. Title of Job: Assistant Site Manager

C. Supervisor: Jerry Surveyor and Roy Orr

D. Reasons for Leaving: Mill Bay Casino failed to provide training that was promised me.

E. Job Description:

I was an Assistant Site Manager at Mill Bay Casino. I was third in command at the Mill Bay Casino, but I mainly was hired to develop gaming procedures and regulations for the three casino sites.

VI. Employer: Colville Confederated Tribes
Colville Tribal Gaming Commission
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 535

A. Dates of Employment: From March 27, 1995 to May 17, 1998

B. Title of Job: Tribal Gaming Agent

C. Supervisor: Ronald Stanger, Tribal Gaming Agent Supervisor

D. Reasons for Leaving: Accepted a better job with Mill Bay Casino as a manager

E. Job Description:

I was a Gaming Agent, and I am assigned to the Okanogan Bingo-Casino. I enforced the Tribal Gaming laws and regulations at the casino and protected the assets of the Colville Confederated Tribes at the Okanogan Bingo-Casino.

VII. Employer: Colville Tribal Enterprise Corporation

Colville Tribal Credit Office
P.O. Box 618
Nespelem, Washington 99155
(509) 634-4711, Ext. 535

A. Dates of Employment: From December 28, 1993 to September 28, 1994

B. Title of Job: Senior Litigation Attorney

C. Supervisor: Sharon Holmdahl, Director

D. Reasons for Leaving: I had planned to attend a seminary, but I changed my mind.

E. Job Description:

I was general legal counsel for the Colville Tribal Credit Office. I filed more than 240 debt collection actions in behalf of the Colville Tribal Credit Office. One hundred and forty-three cases went to judgment before I left my position. I also appeared in the Okanogan County Superior Court on behalf of the Colville Tribal Credit Office. I also filed five (5) real estate foreclosure actions in the Tribal Court. I advised the Colville Tribal Credit Office as to its rights as a creditor, which included writing memoranda and opinion letters. I assisted the credit staff in their debt collection activities.

VIII. Employer: Colville Confederated Tribes
Office of Tribal Prosecuting Attorney
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 710

A. Dates of Employment: From July 19, 1995 to December 27, 1993

B. Title of Job: Deputy Tribal Prosecuting Attorney

C. Supervisor: Lin Sonnenberg, Lead Deputy Prosecuting Attorney

D. Reasons for Leaving: This position was only a temporary position, and I needed a permanent job, though I making plans to attend a seminary.

E. Job Description:

As a Deputy Prosecuting Attorney, I represented the Colville Confederated Tribes in criminal prosecutions in the Colville Tribal Court. I handled all aspects of criminal trial work in the Tribal Court. I reviewed the work and criminal investigations of Tribal Police Officers,

prepared criminal complaints for filing with the Tribal Court, appeared for the Tribe at arraignments, bail hearings, pre-trial conferences, sentencing hearing, etc. I participated in many judge trials and jury trials for the Tribe. I did a lot of pre-trial legal research and negotiations.

IX. Employer: Colville Confederated Tribes
Public Defender's Office
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 546

A. Dates of Employment: From April 21, 1995 to July 5, 1995

B. Title of Job: Public Defender (Criminal Defense Attorney)

C. Supervisor: Debra Rosenbaum, Administrative Director

D. Reasons for Leaving: Burnt out from the job, though I was highly successful.

E. Job Description:

I was the sole Public Defender for the Colville Tribal Court. I represented criminal defendants in all aspects of criminal trial work before the Tribal Court. I appeared with my clients at arraignments, bail hearings, show cause hearings, judge trials, jury trials, sentencing hearings, sentence modification hearings, appellate court hearings, etc. I advised my clients about their civil rights in criminal cases. I also represented parents in child dependency actions before the Tribal Court. I appeared with parents at temporary custody hearings, adjudicatory hearings, dispositional hearings, etc.

X. Employer: Self Employed
Frank S. LaFountaine
Attorney at Law
P.O. Box 375
Coulee Dam, Washington 99116

A. Dates of Employment: From November 1, 1989 to April 21, 1990

B. Title of Job: Private Practice (Attorney at Law)

C. Supervisor: self-employed

D. Reasons for Leaving: Lost Money

E. Job Description:

I had a private law practice in Nespelem, Washington, though I had a mailing address at Coulee Dam, Washington. My practice was mainly devoted to defending criminal defendants in the Colville Tribal Court. I also did some real estate contract for clients, and I represented clients in domestic relations actions, such as dissolution of marriage actions, child custody actions, etc. I also gave legal advice on environmental law issues, zoning law issues, water rights issues, etc.

XI. Employer: Colville Confederated Tribes
Office of Tribal Prosecuting Attorney
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711, Ext. 710

A. Dates of Employment: From February 15, 1989 to November 1, 1989

B. Title of Job: Deputy Tribal Prosecuting Attorney

C. Supervisor: Don Bleakney, Law and Justice Administrator

D. Reasons for Leaving: Too much work for one person

E. Job Description:

As a Deputy Prosecuting Attorney, I represented the Colville Confederated Tribes in the Colville Tribal Court in all aspects of trial work. I mainly prosecuted criminal misdemeanors in the Tribal Court. I also advised the Colville Tribal Police on criminal procedure and investigation requirements. I represented the Colville Tribal Children and Family Services in child dependency cases before the Tribal Court. I represented the Colville Indian Housing Authority in debt collection and eviction action.

XII. Employer: Northwest Intertribal Court System
121 Fifth Ave. N., Suite 305
Edmonds, Washington 98020

A. Dates of Employment: From May 4, 1988, 1993 to October 31, 1988

B. Title of Job: Associate Judge

C. Supervisor: Elbridge Coochise, Chief Judge

D. Reasons for Leaving: Dissatisfaction work environment

E. Job Description:

I was a Tribal Judge for twelve Indian tribes in Western Washington. I was mainly a trial judge for those tribes, though I did serve as an appellate court judge in several cases. I handled all

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aspects of criminal misdemeanor trial work, juvenile delinquency proceedings, Indian Child Welfare Act trial work, HUD Housing debt collections, civil debt collection actions, marriage dissolutions and other civil court matters.

XIII. Employer: The Bureau of Indian Affairs, Dept. of Interior
Division of Law Enforcement
1951 Constitution Avenue, N.W.
Washington, D.C. 20245
(202) 343-5786

A. Dates of Employment: From September 1, 1985 to November 1, 1986

B. Title of Job: Criminal Investigator

C. Supervisor: James Donovan, Director

D. Reasons for Leaving: Unhappy with Washington, D.C.

E. Job Description:

I provided staff support to the Acting Chief of the Division of Law Enforcement Services of Bureau of Indian Affairs, Washington, D.C. My duty station was the Central Office of the Bureau of Indian Affairs, Washington, D.C. My duties required me to do extensive legal research and writing. I reviewed and prepared written analysis on new federal statutes, proposed federal legislation, new and proposed federal regulations, the Federal Register, the Congressional Record, and proposed federal rules. I drafted proposed legislation establishing statutory authority for the BIA Police. This legislation was almost adopted by the 99th Congress. I also prepared proposed rules and notices for publication in The Federal Register.

I processed Freedom of Information Act requests and Privacy Act requests from private citizens. In behalf of the BIA, I answered congressional inquiries and letters. I was involved in developing budgets under the Tribal Priority System of the BIA. I reviewed Public Law 93-638 contracts and handled Public Law 93-638 contract appeals for the Law Enforcement Division. I also worked on the advisability of accepting the retrocession of Public Law 93-638 contracts and the retrocession of Public 83-280 jurisdiction over Indian reservations. I was the Public Law 83-280 expert for the Law Enforcement Division. I reviewed law and order codes applicable to 25 CFR Part 11 BIA Indian courts. I worked with the field offices of the Law Enforcement Division in providing advice on jurisdictional issues and law enforcement issues. Because of my location in Washington, D.C., played a major role in policy making for the Law Enforcement Division.

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XIV. Employer: Self Employed
Frank S. LaFountaine
Attorney at Law
P.O. Box 375
Coulee Dam, Washington 99116

A. Dates of Employment: From August 15, 1984 to September 1, 1985

B. Title of Job: Private Practice (Attorney at Law)

C. Supervisor: self-employed

D. Reasons for Leaving: Found a better job

E. Job Description:

I had a private law practice in Coulee Dam, Washington. My main client was the Colville Tribal Credit Program. I represented the Tribal Credit Program in the Eastern Washington District Federal Court, the Colville Tribal Court, and the Okanogan County Superior Court. For the Colville Tribal Credit Program, I handled mortgage foreclosures (fee patent and trust real property), repossessions, and debt collections. I filed more than 200 debt collection cases in the Colville Tribal Court. In behalf of my client, the Colville Tribal Credit Program, draft ordinances for consideration by the Colville Tribal Business Council. These ordinances established legal procedures for enforcing tribal court judgments against judgment debtors. My private law practice also involved representing private clients in criminal cases, child custody cases, personal liability cases, divorce cases and providing legal advice for businessmen.

XV. Employer: Colville Confederated Tribes
Colville Tribal Business Council
P.O. Box 150
Nespelem, Washington 99155
(509) 634-4711

A. Dates of Employment: From July 15, 1980 to July 15, 1984

B. Title of Job: Colville Tribal Business Councilman

C. Supervisor: Al Aubertin, Chairman of Business Council

D. Reasons for Leaving: Lost reelection

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E. Job Description:

I was a member of the Colville Business Council, the governing body of the Colville Confederated Tribes. I served two terms (four years). I was Finance Committee Chairman for one year, and I was Law and Order Committee Chairman for three years. I was very much involved with policy development and its implementation. I helped to draft or did draft tribal ordinances and tribal codes covering subject areas such as crime victim compensation, DWI implied consent ordinance, Business Council Ethics Code, and a junk car ordinance. I drafted the tribal ordinance establishing a tribal primary election, and I helped to draft a tribal constitutional amendment allowing for amending of the Tribal Constitution and By-Laws by initiative of the tribal members.

XVI. Employer: Colville Confederated Tribes
Colville Tribal Court
P.O. Box 150
Nespelem, Washington 99155
(509) 634-8880

A. Dates of Employment: From September 26, 1976 to March 1, 1980

B. Title of Job: Chief Judge

C. Supervisor: Francis Somday, Executive Director

D. Reasons for Leaving: Elected to Colville Tribal Business Council

E. Job Description:

I was the sole trial judge for the Colville Tribal Court. I heard civil cases and criminal cases, and I presided over myriad jury trials and judge trials. I heard child dependency cases and debt collection cases. I performed all tasks performed by a full-time trial judge, and I also administered the business affairs of the tribal court. I was responsible for compliance with the court's P.L. 93-638 contract, budgeting, hiring employees, employee discipline, etc. I supervised two (2) court clerks.

XVII. Employer: Small Tribes Organization of Western Washington
P.O. Box 578
Sumner, Washington 98390

A. Dates of Employment: From September 3, 1974 to September 25, 1976

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B. Title of Job: Staff Attorney

C. Supervisor: Leo LaClair, Executive Director

D. Reasons for Leaving: Appointed Chief Judge of Colville Tribal Court

E. Job Description:

I provided legal services to member tribes of the Small Tribes Organization of Western Washington (STOWW), which at that time was composed of thirteen (13) small tribes located in Western Washington.

My main assignment at STOWW was to obtain federal recognition for member tribes who were not federally recognized by the Bureau of Indian Affairs. I worked closely with the Jamestown Tribe on its efforts to obtain federal recognition. The Jamestown Tribe eventually granted federal recognition by the Bureau of Indian Affairs. I further helped the non-recognized member tribes to develop tribal constitutions and other governing documents. I also looked at the aboriginal fishing rights of the non-recognized member tribes.

I gave presentations on Public Law 83-280 and the federal recognition process at the National Congress of American Indians conventions and meetings of STOWW.

I developed proposed federal legislation for several member tribes pertaining to federal recognition and land claims distribution.

As a staff attorney, I helped other attorneys secure and protect the treaty fishing rights of member tribes, though I did not directly represent those tribes in court. I will stress that I never participated in any litigation pertaining to the treaty fishing rights or water rights of member tribes. My role was mainly restricted to performing legal research and giving legal advice. I did perform a significant amount of legal research on water rights of member tribes, especially on water quality.

XVIII. Employer: The University of Washington
American Indian Studies Program
Seattle, Washington 98105
(206) 543-4989

A. Dates of Employment: From September 25, 1973 to August 3, 1974

B. Title of Job: Assistant Director

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C. Supervisor: Marilyn Bent, Director

D. Reasons for Leaving: Wanted to practice law

E. Job Description:

I developed and taught a number of university-level courses in the American Indian Studies Program at the University of Washington. I did help to teach one (1) course on American Indian law. As the Assistant Director, I was involved in representing the program at various meetings to make decisions about the program. I performed administrative duties as directed by the Director. I taught university-level courses on Contemporary Indian Problems, Urban Indian Issues, Research and Writing, American Indian History, American Indian Law and other courses.

The End of Resume.