



WHITE MOUNTAIN APACHE TRIBE

*A Sovereign Nation Exercising Self-Governance
Over the Fort Apache Indian Reservation*

Resolution No. 05-2012-28

(Appointing Candace Fox as Acting Chief Judge of the White Mountain Apache Tribal Court)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe ("Tribe") has endured the turmoil that resulted from political conflict arising out of a challenging mid-term Election. Among other serious concerns, the Tribal Court was managed by a judge that failed to adhere to the Judicial Code, a violation that resulted in Judge Regan Armstrong's suspension, pursuant to the Judicial Code process for removal as adhere to in Resolution No. 05-2012-26; and

WHEREAS, Candace Fox, a law trained native employee has the qualifications to serve the Tribe as Acting Chief Judge and her professionalism and history working with a functional court system for another Tribe should give her the tools she needs to reestablish legitimacy of the Apache Tribal Court. As a non-Tribal member, Acting Chief Judge Candace Fox could not serve as the official Chief Judge, however, the Tribal Council recognizes the importance of bringing stability to the Tribe's judicial system and may at a later date address the Judicial Code to amend the qualifications as needed; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribal administration and the White Mountain Apache people to appoint Candace Fox as the new Acting Chief Judge of the White Mountain Apache Tribe and she shall be responsible for establishing a professional environment that respects the law, adheres to the Judicial Code, and provides Tribal members with the highest standard of justice that is possible under White Mountain Apache Tribal Law for the benefit of all Tribal members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Candace Fox to serve the White Mountain Apache people from the bench as the Acting Chief Judge.

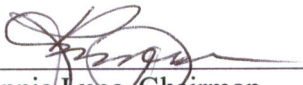
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Acting Chief Judge to focus on establishing professionalism and confidence in the Court's ability to handle complex legal conflicts, administering the court in a manner that respects the law and strictly adheres to the Judicial Code, and fostering an atmosphere that encourages officers of the court to follow and respect the Tribal Constitution and all Tribal Resolutions and Ordinances.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, this Resolution shall be declared null and void and have no legal effect. This Resolution shall not be subject to Judicial Interpretation, only the Tribal Attorney, with the assistance of the Tribal Council Secretary, may opine on Tribal Council intent and the meaning of the language as used herein.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Acting Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution. In the event that the Chairman fails to delegate signatory authority to an Acting Chairman, the Vice-Chairman may sign provided that the Tribal Secretary and a Tribal Attorney attest to the veracity of the subject matter of this Resolution.

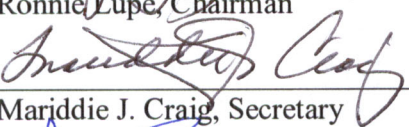
The foregoing resolution was on May 4, 2012 duly adopted by a vote of SEVEN for and ZERO against by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (c), (s), (t) and (u) of the Tribal Constitution, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Chairman

5-18-12

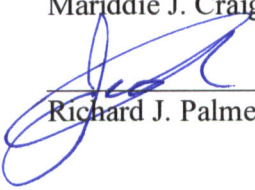
Date



Mariddie J. Craig, Secretary

05/16/2012

Date



Richard J. Palmer, Jr., Attorney

5/16/12

Date