



WHITE MOUNTAIN APACHE TRIBE

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

Resolution No. 03-2013-60

(Appointing Associate Justices to the White Mountain Apache Court of Appeals)

WHEREAS, the White Mountain Apache Tribe's ("WMAT") Judicial Code, Chapter 2: Section 2.9A, specifically states that the Tribal Council is responsible for selecting Associate Justices to serve on the Tribe's highest court, the WMAT Court of Appeals; and

WHEREAS, the WMAT Rules of Appellate Procedure ("Rules") govern all appeals filed within the White Mountain Apache Tribal Court system, but due to a long time vacancy on the court of appeals, a backlog of cases that all require review is beginning to grow and must be immediately addressed in order to satisfy the Code's requirement that cases may be appealed to the Tribe's highest court for review; and

WHEREAS, while it is true, that only a limited set of cases may be selected for review, and it is also true that the Tribe utilizes a system that allows for "motions to reconsider," it remains imperative that a court of appeals be set up and seats filled in order to ensure that all Tribal members, businesses, organizations and their agents have access to the Court of Appeals in the event that the matter involves a major controversy and/or potentially may have serious consequences for the Tribal community and any non-Tribal member parties that either work for or do business with the Tribe; and

WHEREAS, for the reasons stated herein and more, the Tribal Council finds it in the Tribe's best interest to accept the recommendations as set forth by members of the governing body, to include the following Court of Appeal justices – should they accept the Tribal Council nomination and appointment:

Associate Justices of the Court of Appeals:

Judge Thomas Zlaket
Judge Ron Reinstein
Judge Judith A. Joseph

WHEREAS, the above individual nominees, and appointees pending their acceptance, have wide spread expertise and are renowned for their contributions as officers of courts of competent jurisdictions as well as experts and authorities in matters involving justice, the courts, and other judicial matters.

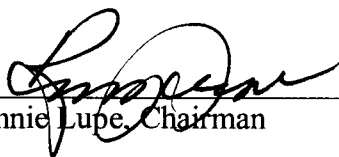
BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby accepts the nominations of Judge Thomas Zlaket, Judge Ron Reinstein and Judge Judith A. Joseph to serve as Associate Justices of the Court of Appeals for the White Mountain Apache Tribal Courts, and upon acceptance of this nomination shall effective immediately, be appointed to the Tribe's highest court.

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.

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.

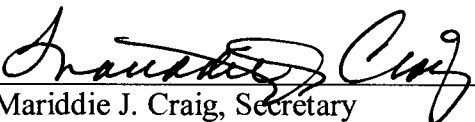
The foregoing resolution was on MARCH 13, 2013 duly adopted by a vote of SEVEN for and ZERO against and ZERO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (i), (k), (r), (s), (t) and (u) of the Tribal Constitution, 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

7/19/13

Date



Mariddie J. Craig, Secretary

07/19/2013

Date