



# WHITE MOUNTAIN APACHE TRIBE

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

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## **Resolution No. 04-2014-39**

### **( Appointing Associate Tribal Court Judge and Juvenile Tribal Court Judge )**

**WHEREAS,** the Tribal Council of the White Mountain Apache Tribe (“Tribe”) is entrusted by the Tribe’s Constitution to act in all matters that concern the welfare of the Tribe, to manage all economic affairs and enterprises of the Tribe, and to regulate subordinate organizations for economic and other purposes; and

**WHEREAS,** as a result of delays due to the 2014 Election and other important matters, several key positions have yet to be filled by the governing body; and

**WHEREAS,** a vacancy exists at the Tribal Court for the position of Associate Judge and the prior Juvenile Court judge’s term ended during the prior administration and has yet to be addressed by members of the governing body; and

**WHEREAS,** after some discussion and deliberation, members of the governing body concur with proposals set forth that would appoint Phoebe Nez as Associate Judge and Nathaniel Joe Harvey as the Juvenile Judge, both serving within the Tribal Court of the White Mountain Apache Tribe; and

**WHEREAS,** the Tribal Council finds it in the Tribe’s best interest to appoint Judge Phoebe Nez and Judge Nathaniel Joe Harvey as addressed herein.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Phoebe Nez to serve as an Associate Tribal Court Judge to serve a four year term pursuant to the Tribal Judicial Code.

**BE IT FURTHER RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Nathaniel Joe Harvey to serve as the Juvenile Tribal Court Judge for a term of four years pursuant to the Tribal Judicial Code.

**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 April 9, 2014 duly adopted by a vote of SIX for and ZERO against with ONE abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to the authority vested in it by Article IV, Section 1 (a), (b), (k), (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).

  
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Ronnie Lupe, Chairman

4/21/14  
\_\_\_\_\_  
Date

  
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Mariddie J. Craig, Secretary

04/21/2014  
\_\_\_\_\_  
Date