



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Demoting Chief Judge Candace Kane and Appointing Carol Gatewood-Kasey to Fill the Vacancy at Chief Judge)

WHEREAS, Carol Gatewood-Kasey, a Tribal advocate and member of the White Mountain Apache Tribe has been discussed as a potential candidate to serve as an associate judge on behalf of the Tribal Court. The Council believes that Carol Gatewood-Kasey is qualified and able carry out the duties and responsibilities required a sitting judge; and

WHEREAS, a discussion regarding whom should ultimately lead the court moving forward raised numerous issues concerning preserving the White Mountain Apache culture, language and a sense of tradition that is arguably lacking at this time; and

WHEREAS, the Council understands that the Judicial Code protects Tribal Court judges from hastily acting on matters of judicial policy and procedure, and for this reason, the Council has determined that the Tribe would be best served by demoting Chief Judge Kane to an associate judge, while hiring and promoting Tribal member Carol Gatewood-Kasey to the position of Tribal Chief Judge, a move that supports the Tribe's policy direction; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribal administration and the White Mountain Apache people to appoint Carol Gatewood Kasey as Chief Judge of the White Mountain Apache Tribe. She is to 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 Judicial Code for the benefit of all Tribal members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Carol Gatewood Kasey as Chief Judge of the White Mountain Apache Tribal Court, subject to 90 day probationary period and pending a clearance via full background check. The currently sitting Chief Judge Candace Kane shall be demoted pursuant to the position of Associate Tribal Court Judge at her current salary, in order to ensure compliance with the Tribe's 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, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 07-2014-78

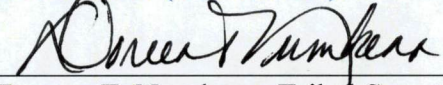
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JULY 9, 2014** duly adopted by a vote of **EIGHT** for and **ONE** against with **ZERO** abstaining by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

7/23/14
Date



Doreen T. Numkena, Tribal Secretary

7-24-2014
Date