



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Directing the Office of the Attorney General to Draft an Ordinance Amending Section 2.8(C) of the Tribe’s Judicial Code to Allow for Appointment of an Additional Juvenile Court Judge)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(q) that the Tribal Council (“Council”) shall exercise the power, “To enact ordinances establishing and governing Tribal courts...”; and

WHEREAS, The White Mountain Apache Judicial Code provides at Section 2.8(C) that the Juvenile Court shall be composed of one Juvenile Court Judge; and

WHEREAS, Via Resolution No. 05-2023-109, the Council announced its intention to appoint an additional judge to the Juvenile Court; and

WHEREAS, To do so would require an ordinance amending Section 2.8(c) of the Tribe’s Judicial Code, to read, as “The Juvenile Court shall be composed of one or more Juvenile Court Judge(s)”; and

WHEREAS, The Tribal Council, this day, finds that directing the Office of the Attorney General to draft an ordinance making the above amendment to Section 2.8(C) of the Juvenile Code, to accomplish the intent of Resolution No. 05-2023-109 is in the best interests of the Tribe and its members.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Office of the Attorney General to draft an ordinance amending Section 2.8(C), consistent with the above-language, and to present such ordinance back to the Tribal Council at the next regular meeting.

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 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.

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 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.

Resolution No. 05-2023-110

The foregoing resolution was on **MAY 3, 2023** duly adopted by a vote of **ELEVEN** for, **ZERO** against, and **ZERO** abstentions 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 November 10, 2021, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).

<u>Kasey Velasquez</u>	<u>5-25-2023</u>	<u>Janeysa Johnson</u>	<u>5/25/2023</u>
Kasey Velasquez, Chairman	Date	Janeysa Johnson, Tribal Secretary	Date