



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Appointing Leon Cosay as Juvenile Judge)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation (“Constitution”) provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power “[t]o represent the Tribe and act in all matters that concern the welfare of the Tribe”, and in Article IV, Section 1(q), “[t]o enact ordinances establishing and governing Tribal courts...”; and

WHEREAS, Section 2.9 of the Tribe’s Judicial Code provides that “Juvenile Court Judges shall each be selected by a majority vote of the Tribal Council to serve a term of four years...”; and

WHEREAS, On July 25, 2023, via Resolution 07-2023-184, Ordinance 312 was adopted thereby amending Section 2.8(C) of the Judicial Code, providing that the “Juvenile Court shall be composed of one or more Juvenile Court Judge(s)”; and

WHEREAS, Section 2.13 of the Tribe’s Judicial Code provides that “In the event of an interim vacancy in a Judge position from any cause whatsoever, it shall be the duty of the Tribal Council to assemble as soon as possible, and select a person who qualifies hereunder to fill the vacancy”; and

WHEREAS, The Juvenile Judge position is currently vacant as of the resignation of former Juvenile Judge Vania L. Gushoney; and

WHEREAS, Tribal member, Leon Cosay, has been nominated to fill the vacancy for the Juvenile Judge; and

WHEREAS, The Council finds that Mr. Cosay meets all of the qualifications for judges contained in Section 2.10 of the Judicial Code, and that it is in the best interest of the Tribe to appoint Mr. Cosay to serve as the Juvenile Judge.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Leon Cosay to serve as the Juvenile Judge for a four year term.

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.

Resolution No. 10-2023-220

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 **OCTOBER 4, 2023** duly adopted by a vote of **FIVE** for, **TWO** against, and **THREE** 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).

	<i>10 Jan 24</i>		<i>01/10/2024</i>
Kasey Velasquez, Chairman	Date	Vaneysa Johnson, Tribal Secretary	Date
	<i>acting chairman</i>		