

RESOLUTION OF THE
WHITE MOUNTAIN APACHE TRIBE OF THE
FORT APACHE INDIAN RESERVATION

WHEREAS, the Tribal Council pursuant to the Amended Constitution and By-Laws of the White Mountain Apache Tribe, and the powers granted to it pursuant to Article V, Section 1 (8) has previously established a Tribal Court; and

WHEREAS, said Tribal Court was established by the Tribal Council to have jurisdiction over all cases of divorce between tribal members with powers to carry out and enforce its orders and judgements pertaining to the same; and

WHEREAS, Rowena Jones, divorced spouse of Lynn Cody has advised the Tribal Council of the refusal and neglect of the Tribal Court to enforce the provisions of the divorce decree and property settlement between herself and ex-husband, Lynn Cody; and

WHEREAS, the Tribal Council has been advised that the provisions of the divorce decree and property settlement have been litigated and argued before Judge Reinhold of Pinetop, Arizona, sitting as a Tribal Judge and Court; and

WHEREAS, Judge Reinhold has ruled against Lynn Cody and for Rowena Jones and has upheld the provisions of the Divorce Decree and property settlement; and

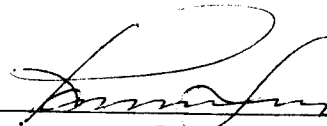
WHEREAS, the Tribal Council finds that the Tribal Court Judges have failed without legal or good cause to enforce the Decree and property settlement thereby undermining the trust of the people in the judicial system on the Fort Apache Reservation and thereby failing to carry out the mission and responsibilities of their office.

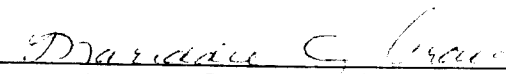
BE IT RESOLVED by the Tribal Council that the Tribal Court Judges are hereby directed to immediately carry out their responsibilities and enforce the provisions of the Divorce Decree and property settlement between Rowena Jones and Lynn Cody subject to each party's right of appeal.

BE IT FURTHER RESOLVED by the Tribal Council that the Tribal Court provide a report of their enforcement of said Divorce Decree pursuant to the Tribal Court directive set forth herein within ten (10) days of the date of the Resolution.

BE IT FURTHER RESOLVED by the Tribal Council that failure of the Tribal Court to enforce their order in the above case without just or legal cause shall constitute cause for the Tribal Council to issue sanctions against the Court including but not limited to reconstituting the Court.

The foregoing resolution was on July 1, 1981, duly adopted by a vote of eight for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article V, Section 1 (a), (b), (u), of the Amended Constitution and By-Laws of the Tribe, ratified by the Tribe June 27, 1958, and approved by the Secretary of the Interior on May 29, 1958, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).


Chairman of the Tribal Council


ACTING Secretary of the Tribal Council

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FORT APACHE INDIAN
AGENCY
WHITERIVER, ARIZ.

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