

CILES

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

COMPLETED

11 SEP 1986

WHEREAS, the Tribal Law and Order Code of the White Mountain Apache Tribe presently provides that only tribal members may act as lay advocates in the Tribal Court; and

WHEREAS, the Tribal Council is advised that certain members of the White Mountain Apache Tribe have requested Apache speaking Lay Advocates to represent them in Tribal Court; and

WHEREAS, due to the lack of lay advocates who are tribal members or because of conflicts of interest involving tribal lay advocates, it is necessary that the Tribal Code Provision prohibiting non-tribal lay advocates be waived on a case by case basis; and

WHEREAS, the Tribal Council is advised that the following Tribal Court cases will require lay advocates to represent tribal members and that Lay Advocates who are members of the San Carlos Apache Tribe and who are fluent in Apache should be permitted to participate in said cases as Lay Advocates:

1. In re: Gertie Lupe
2. In re: Hanna Anderson
3. In re: Julia Burnette
4. In re: Mae Loas

and

WHEREAS, the Tribal Council requests that the Chief Judge of the White Mountain Apache Tribal Council establish standards for the admission of San Carlos Lay Advocates to insure their qualifications and eligibility to represent tribal members in the cases enumerated above.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby authorizes Lay Advocates from the San Carlos Apache Tribe to represent tribal members in the following cases now pending before the White Mountain Apache Tribal Court:

1. In re: Gertie Lupe
2. In re: Hanna Anderson
3. In re: Julia Burnette
4. In re: Mae Loas

BE IT FURTHER RESOLVED by the Tribal Council that this waiver of Section 17.3 of the Tribal Law and Order Code pertains to the four named cases above only and no other.

BE IT FURTHER RESOLVED that the Tribal Council hereby directs the Chief Judge of the White Mountain Apache Tribal Court to allow lay advocates from the San Carlos Apache Tribe to represent tribal members of the White Mountain Apache Tribe in the aforementioned cases after insuring their eligibility and qualifications to act as lay advocates in the White Mountain Apache Tribal Court.

The foregoing resolution was on August 21, 1986, duly adopted by a vote of 6 for and 2 against by the Tribal Council of the White Mountain Apache Tribe pursuant to authority vested in it by Article V, Section 1 (i) of the Amended Constitution and Bylaws 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

Maridie J. Craig
Secretary of the Tribal Council

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