

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

WHEREAS, the Tribal Council by previous Resolution No. 07-89-177 delegated Council authority to then Chief Trial Court Judge Marvin Ethelbah to select judges for the Tribal Court of Appeals pursuant to Section 2.9 of the Judicial Code; and

WHEREAS, said delegation was necessary in order to provide an appellate forum until such time as a permanently appointed Court of Appeals could be established; and

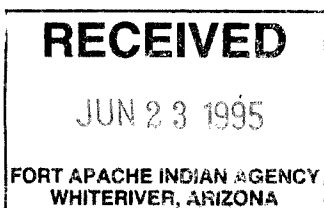
WHEREAS, it is recommended to the Tribal Council that Resolution No. 07-89-177 be amended to provide that authority be generically delegated by the Tribal Council to the Chief Judge or acting Chief Judge of the Tribal Trial Court to appoint a Tribal Court of Appeals to hear cases as the need arises until a duly appointed Court of Appeals is established; and

WHEREAS, the Tribal Council concurs in the recommendation that authority be so granted and that Resolution No. 07-89-177 be amended accordingly.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby finds that there is a continuing need for appointment of an appellate forum to hear cases appealed from the Tribal Trial Court until such time as a permanent Court of Appeals is appointed, and therefore hereby delegates to the Chief Trial Court Judge or to the acting Chief Tribal Trial Court Judge, the Tribal Council's authority pursuant to Section 2.9 of the Judicial Code to appoint a Chief Justice and Associate Justices of the Court of Appeals.

BE IT FURTHER RESOLVED by the Tribal Council that this resolution shall be effective immediately and that Resolution No. 07-89-177 shall continue in full force and effect, except as specifically superseded by this resolution by deletion of the named Chief Trial Court Judge and instead substituting the generic title of Chief Trial Judge or acting Chief Trial Judge, as the case may be.

The foregoing resolution was on June 08, 1995, duly adopted by a vote of nine for and zero against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (i), (q), (s), (t) and (u) of the Constitution of the Tribe, ratified by the Tribe September 30, 1993, and approved by the Secretary of the Interior on November 12, 1993, pursuant to Section 16 of the Act of June 18, 1934 (48 Stat. 984).



A C T I N G

Leif Ethelbah - acting
Chairman of the Tribal Council
Virginia M. Dalton
Secretary of the Tribal Council