

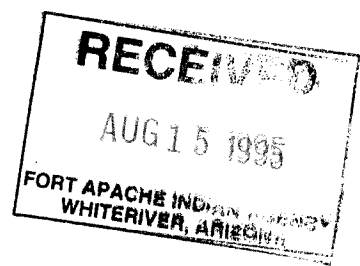
**RESOLUTION OF THE  
WHITE MOUNTAIN APACHE TRIBE OF THE  
FORT APACHE INDIAN RESERVATION**

**WHEREAS,** the Tribal Council has reviewed recommended revisions to Chapter Three, Section 3.9(A) of the Judicial Code, entitled White Mountain Apache Tribe Tort Claims Act; and

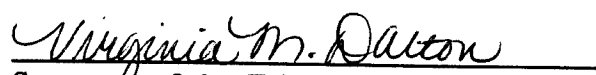
**WHEREAS,** the Tribal Council recommends that said proposed amendments attached hereto be posted for public comment as required by the Constitution for a minimum of ten (10) days.

**BE IT RESOLVED** by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Council Secretary to post the proposed amendments to Chapter Three of the Judicial Code, known as the Tribal Tort Claims Act, in each district for ten (10) days as required by the Constitution.

The foregoing resolution was on August 03, 1995, duly adopted by a vote of five for and three against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (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).



  
Chairman of the Tribal Council

  
Secretary of the Tribal Council

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

BE IT ENACTED by the White Mountain Apache Tribal Council in Council Assembled that Chapter Three of the Judicial Code of the White Mountain Apache Tribe shall be amended as follows:

**CHAPTER THREE  
WHITE MOUNTAIN APACHE TRIBE TORT CLAIMS ACT**

[Historical Note: Chapter Three is derived from Ordinance No. 177, enacted 5/07/92]

**SECTION 3.9      TORT CLAIMS PROCEDURES; 270 DAY NOTICE REQUIRE-  
MENT**

A. Any person who has a claim against the White Mountain Apache Tribe as authorized by this Chapter or otherwise shall file notice of such claim with the Tribal Chairman and the Tribal Attorney as provided by Rule 4(D)(6), White Mountain Apache Tribal Rules of Civil Procedure within 270 days after the cause of action accrues. This notice requirement is jurisdictional and any claim which is not filed within ~~270~~ **Two Hundred Seventy** days after the cause of action accrues is barred and no action may be maintained thereon ~~except upon a showing of excusable neglect if the action is brought within the otherwise applicable period of limitations.~~

The foregoing Ordinance No. \_\_\_\_\_ was on \_\_\_\_\_, 1995 duly adopted by a vote of \_\_\_\_\_ for and \_\_\_\_\_ against by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1(a,q,s,t & 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).

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Chairman of the Tribal Council

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Secretary of the Tribal Council