

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

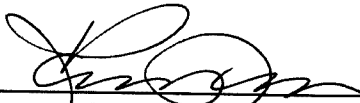
WHEREAS, the Tribal Council by Resolution No. 08-95-255 directed the Tribal Council Secretary to post the proposed amendments to the Judicial Code, amending Chapter Three Section 3.9 (A) entitled White Mountain Apache Tort Claims Act, in each district for a minimum of 10 days as required by the Constitution; and

WHEREAS, the Council Secretary advised the Tribal Council that said proposed ordinance has been posted in accordance with that directive; and

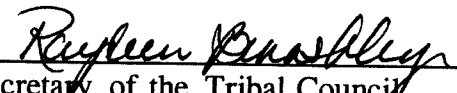
WHEREAS, the Tribal Council having received no opposition to the proposed amendments to the Judicial Code concludes that Ordinance No. 200 amending Section 3.9 (A) of the Judicial Code should be enacted..

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby enacts Ordinance No. 200 amending Section 3.9 (A) of the Judicial Code of the White Mountain Apache Tribe.

The foregoing resolution was on September 27, 1995, duly adopted by a vote of four 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

ACTING


Secretary of the Tribal Council

OCT 05 1995

█ Additions
— Deletions

Ordinance No. 200

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 05/07/92]

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. 200 was on September 27, 1995, duly adopted by a vote of four 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

ACTING