

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

- WHEREAS,** the Tribal Council in Resolution 12-98-279 dated December 15, 1998, approved the renewal of the Public Defender contract between the Tribe and Southern Arizona Legal Aid, Inc. to provide public defender legal services within the Fort Apache Indian Reservation; and
- WHEREAS,** at that time the Tribal Council directed the Law and Order Committee to look into reported concerns pertaining to the Legal Aid representative Paula King, who has been serving as the public defender, with particular emphasis upon the concern of work related information which may have been shared with her husband, reporter Tom King of the White Mountain Independent; and
- WHEREAS,** the Law and Order Committee look into the issue and interviewed the public defender and was advised that no details of her criminal defense representation had been or would be shared with her husband; and
- WHEREAS,** the Law and Order Committee had been satisfied with that understanding, however, recent reports by reporter Tom King in the White Mountain Independent concerning Tribal court and Tribal justice system activities have increased concerns about the confidence and trust that Tribal clients may have in the public defender program; and
- WHEREAS,** in light of the recent articles, the Law and Order Committee has again discuss the impact of the public defender's direct relationship by marriage to the reporter who has chosen to focus upon sensitive Tribal court and justice system matters; and
- WHEREAS,** the Law and Order Committee has no independent indication that the public defender has betrayed her commitment to withhold sensitive information concerning her work from her husband, reporter Tom King, but nevertheless, the committee finds that her close relationship to the reporter who has authored these reports has created great concern among Tribal members who may obtain her services and has raised questions about the current public defender's effectiveness as an officer of court; and
- WHEREAS,** the content and publication of these reports may be beyond the control of the public defender, but nevertheless the result of such published reports has seriously undermined the effectiveness of the public defender's work; and

WHEREAS, the Tribal Council appreciates the work to date of the public defender on behalf of Tribal member criminal defendants, but also recognizes that the public defender is a guest here on the Tribe's land in order to serve an important and sensitive role on behalf of members of the Tribe; and

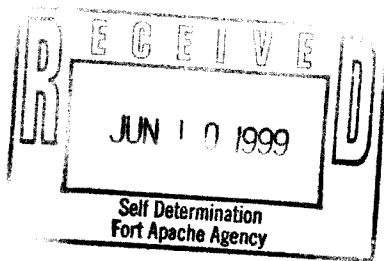
WHEREAS, the Tribal Council concludes that it would be in the best interest of the Tribe and its Tribal members that a different representative from Southern Arizona Legal Aid, Inc. be assigned to manage the Whiteriver Legal Aid office and to assume the duties under the public defender contract.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs the Tribal Chairman to contact Southern Arizona Legal Aid, Inc., in order to secure the appointment of a different attorney to manage the Whiteriver Legal Aid office and to carryout the responsibilities under the Public Defender Agreement.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Tribal Council hereby affirms its intent to maintain the Public Defender Contract work for the benefit of individuals who are criminal defendants in Tribal Court.

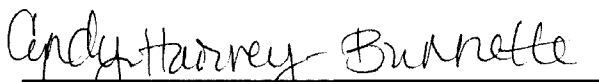
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that in enacting this resolution the Tribal Council is not finding that the current public defender has breached any obligation of confidentiality she holds or has committed to in carrying out her work, but that for reasons stated above, the consequences of the sensitive newspaper reports have unfortunately undermined her effectiveness in the view of Tribal members who may need to rely upon the public defender services.

The foregoing resolution was on June 4, 1999 duly adopted by a vote of six for, one against, and two abstention by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (b), (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).



ACTING


Chairman of the Tribal Council


Secretary of the Tribal Council