

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

(Recommending Suspension of Marjorie Grimes from the position of Director of the Tribal Employment Rights Office Without Pay and Directing Preparation of a Verified Complaint Pursuant to Section 2.28(B) of the White Mountain Apache Judicial Code)

- WHEREAS,** the White Mountain Apache Tribe through its elected Tribal Council established the Tribal Court and the White Mountain Apache Judicial Code to provide a fair and independent forum to adjudicate all cases and matters arising within the jurisdiction of the Tribe; and
- WHEREAS,** the Judicial Code establishes strict standards for the conduct of all lay advocates and attorneys to maintain the Tribe's fundamental guarantee of due process to the people and the administration of justice; and
- WHEREAS,** Marjorie Grimes works for the White Mountain Apache Tribe's Tribal Employment Rights Office; and
- WHEREAS,** pursuant to the Tribal Employment Rights Ordinance No. 86-357, Section 3(B), the Director is appointed by the Tribal Chairman, with the concurrence of the Tribal Council; and
- WHEREAS,** Ms. Grimes is also licensed to practice before the White Mountain Apache Court as a lay advocate; and
- WHEREAS,** the Prosecution Unit brought forward a number of documents relating to Marjorie Grimes' conduct as an advocate; and
- WHEREAS,** the documents include memorandums by officers of the White Mountain Apache Police Department; and
- WHEREAS,** according to the WMAPD memorandums, Ms. Grimes' made a number of statements, the content of which are grounds for termination under the Personnel Policies and Procedures; and
- WHEREAS,** the Prosecution Unit has alleged that Ms. Grimes, in the course of her work as an advocate, has acted unethically, improperly and violated the Rules of conduct and professional responsibility under the White Mountain Apache Judicial Code; and
- WHEREAS,** pursuant to the Judicial Code, Section 2.28(B), a process does exist for the discipline of lay advocates practicing before the White Mountain Apache Tribal Court; and
- WHEREAS,** such information is of great concern to the Council as it affects the administration of a governmental program and the administration of justice within the White Mountain Apache Court.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that:

1. It is hereby recommended that Marjorie Grimes be suspended by the Tribal Chairman from her position as Director of the Tribal Employment Rights Office without pay.
2. The Tribal Attorney is directed to investigate the allegations whether Ms. Grimes' statements made to WMAPD officers and her conduct as an advocate are grounds for termination from her position as Director. The Tribal Attorney shall submit a report with a recommendation for an appropriate personnel action to the Council at its next regularly scheduled meeting.
3. The Prosecution Unit is directed to prepare a verified complaint regarding Ms. Grimes' conduct as an advocate pursuant to Section 2.28(B) of the White Mountain Apache Judicial Code, and submit the complaint to the Chief Judge within ten (10) days.

The foregoing resolution was on JANUARY 5, 2005 duly adopted by a vote of FIVE for, ZERO against, and TWO abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it by Article IV, Section 1 (a), (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

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TRIBAL COUNCIL
JANUARY 5, 2005