



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Placing Candace Kane on Administrative Leave with Pay Pending Investigation and Directing Immediate Appointment of Chief Judge Carol Gatewood-Kasey and Juvenile Judge Anna Goseyun)

WHEREAS, the Tribal Council of the White Mountain Apache Tribe recently discussed the hire and promotion of Carol Gatewood-Kasey to the position of Chief Judge and the candidacy of Anna Goseyun for the position of Juvenile Court judge; and

WHEREAS, the Tribe is currently awaiting the results of a full background check prior to seating the judges, however, because a question has arisen regarding Judge Kane remaining on the bench, it is imperative that the judges be seated immediately pending a simple NCIC check while the Tribe awaits to hear the results of the full background checks that have been previously ordered by Personnel; and

WHEREAS, in executive session, an enrolled Tribal member revealed a personal family conflict that calls into question whether the Judge has acted in a manner that violates the Tribal Code and further investigation into the subject matter is warranted; and

WHEREAS, the Tribal Council finds it in the best interest of the Tribe to direct Special Prosecutor Paul Charleton to investigate this matter and determine whether charges should be filed against the Judge based on the allegations raised in executive session. As there are no verified conclusions of fact or proof of criminal violations, the judge must be placed on administrative leave with pay pending the results of the investigation.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby places Judge Kane on administrative leave with pay pending the results of an investigation by Special Prosecutor Paul Charleton. Should the allegations not lead to a conviction of Judge Kane, she should return to her seat as a sitting Tribal Court Judge under the direction of the new Chief Judge Carol Gatewood-Kasey.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that due to this temporary Tribal Council action, the previously appointed Chief Judge and Juvenile Judge should immediately be seated to address problems that are outstanding at the Tribal Court. A preliminary simple NCIC check should be sufficient to support this action in the short term while the full background check is in progress.

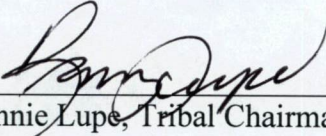
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event that this Resolution conflicts with a prior Resolution or Policy, this Resolution shall supersede and govern over the conflicting subject matter.

BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby directs that in the event this Resolution directly conflicts with the Tribal Constitution, Tribal Ordinances or Federal Laws, or any material facts concerning the issues presented are later found to be false, this Resolution shall be deemed null and void and have no legal effect.

Resolution No. 07-2014-107

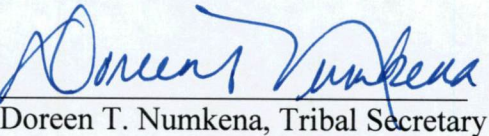
BE IT FURTHER RESOLVED by the Tribal Council of the White Mountain Apache Tribe that the Chairman, or in his absence, the Vice-Chairman, is hereby authorized to execute any and all documents necessary to effectuate the intent of this Resolution.

The foregoing resolution was on **JULY 29, 2014** duly adopted by a vote of **EIGHT** for, **ZERO** against, and **TWO** abstentions by the Tribal Council of the White Mountain Apache Tribe, pursuant to authority vested in it under the enumerated powers listed in Article IV, Section 1 of the WMAT Constitution, so ratified on September 30, 1993, and federally recognized pursuant to Section 16 of the Indian Reorganization Act of June 18, 1934 (48 Stat. 984).



Ronnie Lupe, Tribal Chairman

12/29/14
Date



Doreen T. Numkena, Tribal Secretary

1-5-2015
Date