



WHITE MOUNTAIN APACHE TRIBE

A Sovereign Tribal Nation

(Appointing a Chief Justice and Associate Justices to the White Mountain Apache Tribal Court of Appeals)

WHEREAS, The Constitution of the White Mountain Apache Tribe (“Tribe”) of the Fort Apache Indian Reservation provides, at Article IV, Section 1(a) that the Tribal Council (“Council”) shall exercise the power, “To represent the Tribe and act in all matters that concern the welfare of the Tribe...”; and

WHEREAS, Section 2.9(A) of the Tribe’s Judicial Code provides that the Council is responsible for appointing, by a majority vote, a Chief Justice and two Associate Justices to serve on the Tribe’s highest court, the Court of Appeals; and

WHEREAS, Due to a long-time vacancy on the Court of Appeals, a backlog of cases exists and must be immediately addressed in order to satisfy the requirements of the Tribe’s Judicial Code that cases may be appealed to the Tribe’s highest court for review; and

WHEREAS, The Tribe has a long-standing precedence of appointing law-trained individuals, including sitting judges and practicing attorneys, to the Tribe’s Court of Appeals to ensure that the demands of justice are served for the Tribe, its members, businesses, organizations, and their agents in matters of controversy before the Court; and

WHEREAS, Several applicants have provided the Tribal Council with resumes, which demonstrate a wide range of legal expertise in civil and criminal matters; and

WHEREAS, Amongst the applicants, the below-named individuals have distinguished themselves and are recommended for the following positions on the Court of Appeals:

Chief Justice of the Court of Appeals:	Prof. James C. Hopkins
Associate Justices of the Court of Appeals:	Leland Begay Rosemary Avila

WHEREAS, The Council finds it in the best interests of the Tribe and its members to empanel the Court of Appeals by appointing the individuals named herein to serve as Chief Justice and Associate Justices, respectively.

BE IT RESOLVED by the Tribal Council of the White Mountain Apache Tribe that it hereby appoints Prof. James C. Hopkins to serve a four-year term as the Chief Justice of the White Mountain Apache

Resolution No. 08-2020-176

Tribal Court and Leland Begay and Rosemary Avila to each serve four-year terms as Associate Justices of the White Mountain Apache Tribal Court, effective immediately.

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 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.

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 the Chairwoman, or in her 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 30, 2020** duly adopted by a vote of **TEN** for, **ZERO** against, and **ZERO** 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).

 8/27/2020  8-27-2020
Gwendena Lee-Gatewood, Chairwoman Date Doreen T. Numkena, Tribal Secretary Date