



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE APPOINTMENT OF JUDGE PRO TEMPORE FOR HO-CHUNK NATION TRIAL COURT CASE CS 09-07

RESOLUTION 02-03-15L

- WHEREAS,** On November 1, 1994, the Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation, formerly known as the Wisconsin Winnebago Nation; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian Tribe, Pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article V, Section 2(a) enables the Nation, through the Legislature to make laws, including codes, ordinances, resolutions, and statutes; and
- WHEREAS,** Article V, Section 2(x) empowers the Legislature to enact any other laws, ordinances, resolutions and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III of the Constitution; and
- WHEREAS,** Article VII, Section 13 of the Constitution of the Ho-Chunk Nation requires the Legislature to appoint a Judge Pro Tempore to the Trial Court of the Ho-Chunk Nation to fill any vacancy in a case due to recusal based on a conflict of interest; and
- WHEREAS,** based upon a notification from Chief Judge Lowe of the Nation's Trial Court to the Legislature, the presiding Judge in the case (Judge WhiteEagle) is no longer handling Case No. CS 09-07, and there exists a conflict of interest which precludes Judge Lowe from presiding in the case; and
- WHEREAS,** the prompt resolution of Case No. CS 09-07 cannot occur without the appointment of a Pro Tempore Judge; and
- WHEREAS,** Chief Judge Lowe has recommended a pool of potential candidates who could sit as a Pro Tempore Judge in the case.

Executive Offices

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NOW THEREFORE, BE IT RESOLVED that the Legislature of the Ho-Chunk Nation, pursuant to Article VII, Section 13 of the Constitution of the Ho-Chunk Nation, hereby appoints Robert J. Collins, Paul Stenzel, or John Waubaunsee, to the extent they are available and can agree to terms with the Judiciary, as the Judge Pro Tempore for the purpose of hearing Case No. CS 09-07 and authorizes the Ho-Chunk Trial Court to contact the above-noted individuals to make the necessary arrangements for one of them to serve as a Judge Pro Tempore of the Ho-Chunk Nation in the above-noted case.

CERTIFICATION

I, the undersigned, as Secretary of the Ho-Chunk Nation Legislature, hereby certify that the Legislature of the Ho-Chunk Nation, composed of 13 members of whom 12 constituting a quorum were present at a meeting duly called and convened and held on the 3rd day of February, 2015, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 1 opposed, and 0 abstaining, pursuant to the Article V, Section 2 (a) and (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that the foregoing resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathyleen Lone Tree-Whiterabbit
Kathyleen Lone Tree-Whiterabbit, Tribal Secretary

2.3.15
Date