



## **HO-CHUNK NATION LEGISLATURE**

*Governing Body of the Ho-Chunk Nation*

### **HO-CHUNK NATION LEGISLATURE APPOINTMENT OF JUSTICE PRO TEMPORE FOR HO-CHUNK NATION SUPREME COURT CASE SU 15-03**

#### **RESOLUTION 04-21-15Q**

**WHEREAS**, on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation formerly known as the Wisconsin Winnebago Tribe; and

**WHEREAS**, the Ho-Chunk Nation ("Nation") is a federally recognized Indian tribe, organized pursuant to the Indian Reorganization Act of 1934; and

**WHEREAS**, Article V, Section 2(a) of the Nation's Constitution authorizes 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 grants the Legislature the authority to appoint a Judge pro tempore to the Trial Court of the Nation to fill any vacancy in a case due to recusal by a Justice or Judge; and

**WHEREAS**, the former Chief Justice of the Nation's Supreme Court, Mary Jo Brooks Hunter, notified the Legislature that a justice pro tempore will be needed to fill the position of the former Chief Justice in Case No. SU 15-03, since she resigned from that position to perform duties as an elected Associate Judge of the Ho-Chunk Nation Trial Court; and

**WHEREAS**, the prompt resolution of Case No. SU15-03 cannot happen without the appointment of a Justice pro tempore, so the Legislature finds it appropriate to consider such temporary appointment, and give the Judiciary the authority to make arrangements to retain one of the persons listed herein.

#### **Executive Offices**

W9814 Airport Road P.O. Box 667 Black River Falls, WI 54615  
(715) 284-9343 Fax (715) 284-3172 (800) 294-9343

**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 authorizes the appointment of one of the following persons for the purpose of hearing Case No. SU 15-03: Joe Halloran, Mark Radcliff, Kim Vele, John Wabaunsee, Jerry Hill or Paul Stenzel; and authorizes the Ho-Chunk Judiciary to contact these persons to verify availability to serve and make the necessary arrangements to serve as a Justice pro tempore of the Ho-Chunk Nation in the above-noted case.

**CERTIFICATION**

I, the undersigned, as Tribal Secretary for 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 the meeting duly called and convened and held on the **21<sup>st</sup> day of April, 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 authority of the Article V, Section 2(a) through (x) of the Constitution of the Ho-Chunk Nation approved by the Secretary of the Interior on November 1, 1994, and that said resolution has not been rescinded or amended in any way. I further certify that this is a verified copy of said resolution.

Kathleen LoneTree-Whiterabbit  
Kathleen LoneTree-Whiterabbit, Tribal Secretary

4.21.15

Date