



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

HO-CHUNK NATION LEGISLATURE  
RESTATEMENT OF RESOLUTION 8-08-11C  
APPOINTMENT OF JUDGE PRO TEMPORE FOR  
TRIAL COURT CASE CV 10-64

### RESOLUTION 08-23-110

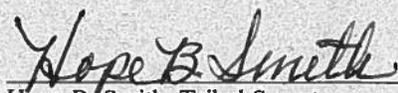
- WHEREAS,** on November 1, 1994, the United States Secretary of the Interior approved a new Constitution for the Ho-Chunk Nation formerly known as the Wisconsin Winnebago Tribe; and
- WHEREAS,** the Ho-Chunk Nation ("Nation") is a federally recognized Indian tribe, organized pursuant to the Indian Reorganization Act of 1934; and
- WHEREAS,** Article 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 due to recusal; and
- WHEREAS,** based upon a notification from the Nation's Trial Court to the Legislature, through an Order (Pro Tempore Appointment) in Case No. CV 10-64, the presiding Judge in the case has recused herself; and
- WHEREAS,** the prompt resolution of Case No. CV 10-64 cannot occur without the appointment of a Pro Tempore Judge; and
- WHEREAS,** the Legislature previously authorized the appointment of Mark Butterfield or Paul Stenzel as Pro Tempore Judges to the Trial Court for Case No. CV 10-64, in Resolution 8-08-11C; and
- WHEREAS,** the Trial Court Staff Attorney has indicated the Court would like the additional flexibility to inquire with John Wabaunsee to retain him as a Pro Tempore Judge in this particular case, since he has served in this capacity previously for the Nation;

**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 John Wabaunsee, along with Mark Butterfield and Paul Stenzel, to the extent any one of them are available, as the Judge Pro Tempore for the purpose of hearing Case No. CV 10-64 and authorizes the Ho-Chunk Trial Court to contact John Wabaunsee, Mark Butterfield or Paul Stenzel 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; and

**BE IT FURTHER RESOLVED** that this resolution restates Resolution 8-08-11C and is effective immediately.

### 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 **9** constituting a quorum were present at the meeting duly called and convened and held on the **23<sup>rd</sup> day of August, 2011**, that the foregoing resolution was adopted at said meeting by an affirmative vote of **9 members, 0 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.

  
Hope B. Smith, Tribal Secretary

  
Date

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