



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

HO-CHUNK NATION LEGISLATURE CONFIRMATION OF JO DEEN LOWE AS CHIEF JUDGE OF THE HO-CHUNK NATION TRIAL COURT

RESOLUTION 12-06-11J

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, pursuant to the Indian Reorganization Act of 1934; and

WHEREAS, Article V, Section 2(a) of the Ho-Chunk Nation Constitution ("Constitution") gives the Ho-Chunk Nation Legislature ("Legislature") the power to make laws, including codes, ordinances, resolutions, and statutes; and

WHEREAS, Article V, Section 2(f) of the Constitution grants the Legislature the power to set the salaries, terms and conditions of employment for all governmental personnel; and

WHEREAS, Article V, Section 2(x) of the Constitution grants the Legislature the power to enact any other laws, ordinances, resolutions, and statutes necessary to exercise its legislative powers delegated by the General Council pursuant to Article III including but not limited to the foregoing list of powers; and

WHEREAS, Article VII, Section 9 of the Constitution provides "[t]he Chief Judge and any Associate Judges of the Trial Court shall be appointed by the Legislature to serve for three (3) year staggered terms and until their successors have been sworn into office."; and

WHEREAS, section 8, subparagraph a. of the Ho-Chunk Nation *Judiciary Establishment and Organization Act* (1 HCC § 1) provides:

- a. Appointment. The Chief Trial Judge and Associate Judges of the Trial Court shall be selected and confirmed by at least an absolute majority of the Legislature voting by secret ballot no less than fourteen (14) days and no more than thirty (30) days after the candidates are nominated. Nominations may be made and seconded in the normal course of business at any duly convened meeting of the Legislature.

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Except for the initial panel of judges, if any Legislator so requests, balloting shall be supervised by the Court. At any meeting held to confirm an appointment, absentee ballots shall be available to those members of the Legislature who request them. If an absolute majority of the Legislature does not disapprove a nominee within thirty (30) days after nomination, such nomination shall be deemed to be confirmed; and

WHEREAS, the Legislature posted the position of Chief Judge to the Nation's Trial Court and conducted interviews of several qualified candidates, including Jo Deen Lowe; and

WHEREAS, at its November 8, 2011 meeting, during regular business, the Legislature selected Jo Deen Lowe for nomination to the position of Chief Judge of the Ho-Chunk Nation Trial Court; and

WHEREAS, Jo Deen Lowe has served as a Ho-Chunk Nation Supreme Court Justice and is familiar with the Nation's government and Judiciary;

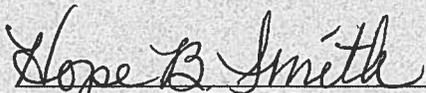
NOW THEREFORE, BE IT RESOLVED that the Legislature, pursuant to its Constitutional authority, selects and confirms Jo Deen Lowe to be Chief Judge of the Ho-Chunk Nation Trial Court.

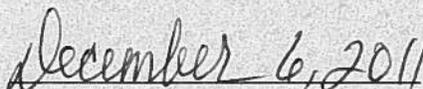
BE IT FURTHER RESOLVED, that the Legislature designates the Vice President to confer with Jo Deen Lowe to verify when she can begin her term and coordinate any other matters, including a date to be sworn in;

BE IT FURTHER RESOLVED that, subject to satisfactory verification of the arrangements between the Vice President, or if necessary, the full Legislature, the term of Chief Judge Jo Deen Lowe shall be from December 18, 2011 through December 18, 2014.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certify that the Legislature of the Ho-Chunk Nation, composed of **13 members**, of whom **11** constituting a quorum were present at a meeting duly called and convened and held on the **6th day of December, 2011**, that the foregoing resolution was adopted at said meeting by secret ballot in accordance with the *Judiciary Establishment and Organization Act*, with the following vote totals: **7** members voting to confirm, **3** members voting to deny confirmation, and **1** member abstaining from the vote; and that said vote was taken 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.


Hope B. Smith, Tribal Secretary


Date