



## HO-CHUNK NATION LEGISLATURE

*Governing Body of the Ho-Chunk Nation*

### HO-CHUNK NATION LEGISLATURE

#### APPOINTMENTS OF JUSTICE PRO TEMPORE FOR SUPREME COURT CASE SU11-02

#### RESOLUTION 6-08-11 I

**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 Justice Pro Tempore to the Supreme Court of the Ho-Chunk Nation to fill any vacancy due to recusal; and

**WHEREAS,** Associate Justices of the Ho-Chunk Supreme Court, Dennis M. Funmaker and Joan Greendeer-Lee have recused themselves in *Rita A. Gardner v. Tracy Littlejohn, Ronald Anwash, et al.*, SU 11-02; and

**WHEREAS,** the prompt resolution of SU 11-02 cannot occur without the appointment of two Pro Tempore Justices; and

**WHEREAS,** the Supreme Court has suggested that JoDeen Lowe and John Wabaunsee might be able to serve as Justice Pro Tempore in the case, as they have served the Ho-Chunk Judiciary previously in this capacity;

**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 JoDeen Lowe and John Wabaunsee, to the extent they are available, as Justices Pro Tempore for the purpose of hearing *Rita A. Gardner v. Tracy Littlejohn, Ronald Anwash, et al.*, SU 11-02 and authorizes the Ho-Chunk Supreme Court to contact Jodeen Lowe and John Wabaunsee and make the necessary arrangements for him/her to serve as a Justice Pro Tempore of the Ho-Chunk Nation.

#### 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

#### Executive Offices

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present at the meeting duly called and convened and held on the 8<sup>th</sup> day of June, 2011 that the foregoing resolution was adopted at said meeting by an affirmative vote of **8 members, 0 opposed, and 4**

**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  
Hope B. Smith, Tribal Secretary

June 8, 2011  
Date

