



HO-CHUNK NATION LEGISLATURE

Governing Body of the Ho-Chunk Nation

**HO-CHUNK NATION LEGISLATURE
APPOINTMENT OF AMANDA ROCKMAN AS ASSOCIATE JUDGE
OF THE HO-CHUNK NATION TRIAL COURT AND DISAPPROVAL
OF THE NOMINATION OF DAVID JAMES WHITEHORSE KLAUSER
RESOLUTION 8-18-09 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, 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,** Associate Judge Amanda Rockman was sworn into office on August 14, 2006; 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. 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,** at its July 21, 2009 meeting the Legislature nominated Amanda Rockman and David James Whitehorse Klauser for the position of Associate Judge of the Ho-Chunk Nation Trial Court; and

Executive Offices

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

WHEREAS, through an e-mail correspondence dated August 2, 2009 David James Whitehorse Klauser asked that his name be removed from consideration for the Associate Judge position.

NOW THEREFORE BE IT RESOLVED, that the Legislature, pursuant to its Constitutional authority, selects and confirms Amanda Rockman to be Associate Judge of the Ho-Chunk Nation Trial Court.

BE IT FURTHER RESOLVED, that the term of Associate Judge Amanda Rockman shall be from August 24, 2009 through August 24, 2012.

BE IT FURTHER RESOLVED, that the Legislature, pursuant to its Constitutional authority, disapproves the nomination of David James Whitehorse Klauser.

CERTIFICATION

I, the undersigned, as Tribal Secretary of Ho-Chunk Nation, hereby certifies 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 that on the 18th day of August, 2009, that the foregoing resolution was adopted at said meeting by an affirmative vote of 11 members, 0 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.


Hope B. Smith, Tribal Secretary

8-18-09
Date

