

RESOLUTION NO. 106-08

COUNCIL OF THE CHEROKEE NATION

**A RESOLUTION ESTABLISHING PROCEDURES
FOR PROCUREMENT OF ATTORNEY FEES**

WHEREAS, the Cherokee Nation, since time immemorial has exercised the sovereign rights of self-government on behalf of the Cherokee People; and

WHEREAS, the Cherokee Nation is a federally recognized Indian Nation with a historic and continual government to government relationship with the United States of America; and

WHEREAS, it is beneficial at times for members of the Cherokee Nation Tribal Council to obtain legal counsel and advice, independent from the representations provided to the entire Tribal Council.

THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION that the Council of the Cherokee nation hereby establishes procedures for the procurement of legal services independent of legal services regularly provided to the Council. All such legal services shall be by written contract, defining the scope of work, hourly fees and estimate of costs of the total project. The attorney must submit a detailed billing statement to the Council staff prior to payment.

BE IT FURTHER RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION, that each Tribal Council member be allowed Twenty-Five Thousand Dollars (\$25,000.00) to acquire legal representation and/or advice per fiscal year, provided that said representation/advice be utilized for matters before the Tribal Council and cannot be for any personal benefit of the individual Council member.


BE IT FINALLY RESOLVED BY THE COUNCIL OF THE CHEROKEE NATION that this resolution supersedes and replaces Resolutions #R-25-97, #R-26-97 and #R-31-05.

CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 15th day of December, 2008, having 16 members present, constituting a quorum, by the vote of 16 yea; 0 nay; 0 abstaining.


Meredith A. Frailey, Speaker
Council of the Cherokee Nation

ATTEST:


Don Garvin, Secretary
Council of the Cherokee Nation

Approved and signed by the Principal Chief this 22nd day of December, 2008.



Chadwick Smith, Principal Chief
Cherokee Nation

ATTEST:



Melanie Knight, Secretary of State
Cherokee Nation