

Committee: Rules Committee
Date: 05-17-12 Committee Date: 05/31/12

Author: D. Barker Harrold
Sponsor: J. Fishinghawk, T. Glory Jordan, F. Hargis,
C. Snell, C. Hoskin Jr., D. Garvin, J. Byrd,
D. Walkingstick, D. Thornton, J. Fullbright

Resolution No. 66-12

COUNCIL OF THE CHEROKEE NATION

A RESOLUTION CONFIRMING THE APPOINTMENT OF JOHN C. GARRETT AS A JUSTICE OF THE SUPREME COURT OF THE CHEROKEE NATION

WHEREAS, the Cherokee Nation since time immemorial has exercised the sovereign rights of self-government in 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, Justices of the Supreme Court are authorized in Article VIII, Section 1 of the constitution of the Cherokee Nation (1999); and,

WHEREAS, according to Article VIII, Section 2, of the constitution, the Justices shall be appointed by the Principal Chief and confirmed by the council of the Cherokee Nation; and,

WHEREAS, Supreme Court Justice, Kyle Haskins has resigned effective June 1, 2012, which creates a vacancy on the court that needs to be filled; and,

WHEREAS, the term of office for the Justice of Seat Five (5) expires December 31, 2018; and,

WHEREAS, the Principal Chief has appointed John C. Garrett as a Justice of the Supreme Court of the Cherokee Nation, Seat 5, to fulfill the duties of Justice as articulated Article VII of the Constitution; and

WHEREAS, John C. Garrett is duly qualified to fill this position.

BE IT RESOLVED BY THE CHEROKEE NATION, that John C. Garrett is hereby confirmed as a Justice of the Supreme Court of the Cherokee Nation, Seat 5, to fulfill the duties of Justices as specified in Article VIII of the Constitution of the Cherokee Nation for a term beginning June 1, 2012, and ending December 31, 2018.


CERTIFICATION

The foregoing resolution was adopted by the Council of the Cherokee Nation at a duly called meeting on the 11th day of June, 2012, having 17 members present, constituting a quorum, by the vote of 11 yea; 6 nay; 0 abstaining.



Tina Glory-Jordan, Speaker
Cherokee Nation Tribal Council

ATTEST:



Jodie Fishinghawk, Secretary
Cherokee Nation Tribal Council

Approved and signed by the Principal Chief this 13th day of June, 2012.



Bill John Baker, Principal Chief
Cherokee Nation

ATTEST:




Charles Head, Secretary of State
Cherokee Nation

05-17-12P04:06 RCVD

Administrative Clearance

Program/Project Manager

 Signature/Initial _____ Date _____

Department Director:
 5/16/2012
 Signature/Initial _____ Date _____

Executive Director:

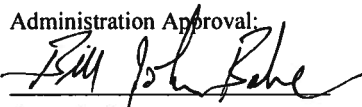
 Signature/Initial _____ Date _____

Controller: (If Needed)

 Signature/Initial _____ Date _____

Government Resources Dept:

 Signature/Initial _____ Date _____

Administration Approval:

 Signature/Initial _____ Date 5-16-12

**Cherokee Nation
 Act /Resolution Proposal Form**

Act

Resolution

TITLE: A Resolution Confirming the Nomination of John Garrett as Justice of the Cherokee Nation Supreme Court

DEPARTMENT CONTACT: Bill John Baker

RESOLUTION PRESENTER: BILL JOHN BAKER

SPONSOR: _____

NARRATIVE:

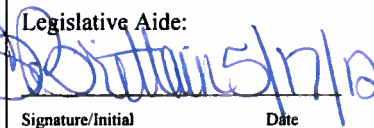
The Supreme Court was created and authorized by Article VIII, Section 1 of the Cherokee Nation Constitution;

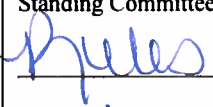
The Principal Chief is authorized to select the justices subject to majority vote of the Council of the Cherokee Nation;

Office #5 is now vacant; and


John Garrett is duly qualified to fill this vacancy.

Legislative Clearance

Legislative Aide:

 Signature/Initial _____ Date _____

Standing Committee:


 5/31/12
 Next Meeting Date

Chairperson:

 Signature/Initial _____ Date _____

Returned to Presenter: _____

 Date