



# Little River Band of Ottawa Indians

1762 U.S. 31 South  
Manistee MI 49660  
(231) 723-8288

*ggs*

Resolution No. #00-1218-<sup>20-12</sup>

## Establishing the Compensation Levels for Tribal Judges

WHEREAS, the Tribe's status as a federally-recognized Indian tribe was reaffirmed and restored by Congress pursuant to Public Law 103-324, 108 Stat. 2156 (25 U.S.C. §1300k et seq.)(hereinafter "Little River Act"); and

WHEREAS, the Tribe adopted a new Constitution, pursuant to a vote of the membership on May 27, 1998, which Constitution became effective upon its approval by the Assistant Secretary-Indian Affairs on July 10, 1998; and

WHEREAS, the Tribal Council, pursuant to Article IV, 7(i)(2) of the Constitution, has the power to manage any funds within the exclusive control of the Tribe and to appropriate such funds for the benefit of the Tribe and its members; and

WHEREAS, the Tribal Council, pursuant to Article IV, Section 6(g)(1.) of the Constitution, must act only by ordinance, resolution or motion; and

WHEREAS, pursuant to Article VI, Section 4(b) of the Constitution, the Tribal Council has the power to establish the level of compensation for each Judge appointed to the Tribal Court; and

WHEREAS, the Operating Budget for Fiscal Year 2000, which was approved on January 24, 2000, included a level of Salary/Wages and Fringe Benefits for Judges appointed to the Tribal Court, which were not properly established by a Resolution of the Tribal Council.

NOW THEREFORE IT IS RESOLVED THAT the Tribal Council of the Little River Band of Ottawa Indians hereby establishes the minimum Compensation for members of the Tribal Court as follows:

*Chief Judge*

- a. Annual Salary for the Tribal Council Speaker shall be at a minimum of \$41,600.00 per year, subject to any increases due to Cost of Living Adjustments (COLA) as adopted by the Tribal Council from time to time.



- b. Annual Salary for the Associate Judge shall be at a minimum of \$52,000.00 per year, subject to any increases due to Cost of Living Adjustments (COLA) as adopted by the Tribal Council from time to time.
- c. Annual Salary for the Special Trials Judge shall be set at a minimum of \$22,000.00 per year, subject to Cost of Living Adjustments (COLA) as adopted by the Tribal Council from time to time.
- d. Annual Salary for the Appellate Judge position required to be filled by a licensed attorney shall be at a minimum of \$25,200.00 per year, subject to any increases due to Cost of Living Adjustments (COLA) as adopted by the Tribal Council from time to time.
- e. Annual Salary for the remaining Appellate Judge positions shall be at a minimum of \$10,000.00 per year, subject to any increases due to Cost of Living Adjustments (COLA) as adopted by the Tribal Council from time to time
- f. Tribal Judges shall be entitled to time off for Holidays observed by the Tribal Government Offices as adopted by the Tribal Council, which are included in the annual salaries established in sub-parts (a)-(e) of this paragraph.

IT IS FURTHER RESOLVED THAT the Compensation established for Tribal Judges will not include expenses, (i.e., mileage, car allowance), which expenses are provided for and approved within the budgets and appropriations adopted by the Tribal Council for those purposes.

IT IS FURTHER RESOLVED THAT the Compensation established for Tribal Judges will be deemed to be in effect from and retroactive to the later of January 1, 2000, upon the adoption of this Resolution by the Tribal Council.

### **CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with \_\_\_ FOR, \_\_\_ AGAINST, \_\_\_ ABSENT, and \_\_\_ ABSTAINING, at a Regular Session of the Little River Band of Ottawa Indians' Tribal Council held at the Little River Band Community Center on December 18, 2000, in Manistee, Michigan, with a quorum being present for such vote.

\_\_\_\_\_  
Charles Fisher, Council Recorder

Attest:

\_\_\_\_\_  
Joan Spalding, Council Speaker