

**Little River Band of Ottawa Indians**  
2608 Government Center Dr.  
Manistee, MI 49660  
(231) 723-8288

**Resolution #14-0903-276**

*Approving Modifications to Judicial Compensation*

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and Treaty-making power is confirmed in numerous treaties, from agreements with the initial colonial powers on this land, to various treaties with the United States; and

WHEREAS, the Little River Band of Ottawa Indians (Tribe) is descended from, and is the political successor to, the Grand River Ottawa Bands, signatories of the 1836 Treaty of Washington (7 Stat. 491) with the United States, as reaffirmed by federal law in P.L. 103-324, enacted in 1994; 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 Tribe adopted amendments to the Constitution on April 26, 2004, which became effective upon approval by the Assistant Secretary-Indian Affairs on May 13, 2004; and

WHEREAS, the legislative powers of the Little River Band are vested in the Tribal Council at Article IV, Section 7 of the Constitution; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to enact ordinances and adopt resolutions to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members and to govern the conduct of members of the Little River Band and other persons within its jurisdiction; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(i)(1) to exercise the fiscal power to manage any funds within the exclusive control of the Little River Band of Ottawa Indians; and

WHEREAS, the Tribal Council is authorized under Article VI, Section 4(b) to establish levels of compensation for judges, provided that compensation for each individual judge shall not be diminished during the term or his or her office; and

WHEREAS, the Tribal Council adopted the following resolutions relative to judicial compensation:

- Resolution #00-1220-12, *Establishing the Compensation Levels for Tribal Judges*
- Resolution #05-0720-326, *Re-Affirming the Compensation for Judicial Officers Previously Set by Resolution #00-1220-12*
- Resolution #06-0315-187, *Ratifying the Inclusion of Tribal Court Judicial Officers in the Life Insurance and Certain other Tribal Government Employee Benefits*
- Resolution #09-0415-98, *Continuing the Compensation for Tribal Court Judges*
- Resolution #11-0420-133, *Continuing the Compensation for Tribal Court Appellate Judges*
- Resolution #13-0501-094, *Continuing the Compensation for Tribal Court Judges*

WHEREAS, the Tribal Council and the Tribal Court collaborated on means to reduce the Tribal Court budget at a work session on August 18, 2014.

NOW THEREFORE IT IS RESOLVED, that upon the beginning of each judicial term following the adoption of this resolution, compensation for jurists shall be modified as follows:

1. *Monetary Compensation.* The Court consists of two Tribal Court judges and three Court of Appeals justices. Monetary compensation for each position shall be as follows:
  - a. Chief Judge. The Chief Judge shall be compensated in the form of a \$3,000.00 stipend per month.
  - b. Associate Judge. The Associate Judge shall be compensated in the form of a \$2,500.00 stipend per month.
  - c. Appellate Justices. Appellate justices who are licensed attorneys shall be compensated in the form of a \$1,500.00 stipend per case heard. Appellate justices who are not licensed attorneys shall be compensated in the form of a \$1,000.00 stipend per case heard.
2. *COLA.* Cost of Living Adjustments shall not apply to jurists' stipends.
3. *Benefits.* Jurists shall not be eligible for health, dental, vision or life insurance offered by the Tribe to its employees as job-based benefits, nor shall jurists be eligible for any 401(k) matching or other retirement benefits. This resolution shall not be construed to diminish or revoke benefits accrued to any individual in the role of a jurist to date.

IT IS FURTHER RESOLVED that Resolution #00-1220-12, *Establishing the Compensation Levels for Tribal Judges*, Resolution #05-0720-326, *Re-Affirming the Compensation for Judicial Officers Previously Set by Resolution #00-1220-12*, Resolution #06-0315-187, *Ratifying the Inclusion of Tribal Court Judicial Officers in the Life Insurance and Certain other Tribal Government Employee Benefits*, Resolution #09-

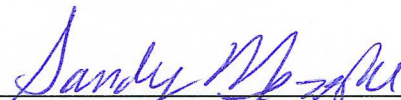
0415-98, *Continuing the Compensation for Tribal Court Judges*, Resolution #11-0420-133, *Continuing the Compensation for Tribal Court Appellate Judges*, Resolution #13-0501-094, *Continuing the Compensation for Tribal Court Judges* are hereby rescinded and replaced with this Resolution.

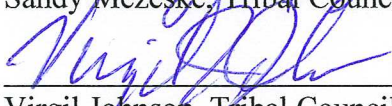
IT IS FURTHER RESOLVED that this resolution is intended to rescind and replace any other resolutions setting levels of judicial compensation.

IT IS FINALLY RESOLVED that Tribal Court Judges taking oaths of office after the date of the adoption of this Resolution shall receive compensation as described herein.

**CERTIFICATE OF ADOPTION**

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 7 FOR, 1 AGAINST, 1 ABSTAINING, and 0 ABSENT at a regular session of the Little River Band of Ottawa Indians Tribal Council held on September 3, 2014, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.

  
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Sandy Mezeske, Tribal Council Recorder

  
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Virgil Johnson, Tribal Council Speaker

Attest:

Distribution: Council Records  
Tribal Ogema  
Tribal Court  
Human Resources  
Accounting