



Little River Band of Ottawa Indians
Tribal Council
2608 Government Center Drive
Manistee, MI 49660
(231) 723-8288

Resolution #19-0522-121

Continuing Compensation for Tribal Court Judges

WHEREAS, the status of the *Gaá Čhíng Ziibi Daáwaa Aníshinaábek* (Little River Band of Ottawa Indians) as a sovereign and a 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 Tribe adopted amendments to the Constitution on July 11, 2016 which became effective upon approval by the Assistant Secretary-Indian Affairs on August 24, 2016; and

WHEREAS, the Tribal Council is authorized under Article IV, Section 7(a) of the Constitution to provide for the public health, peace, morals, education and general welfare of the Little River Band and its members; and

WHEREAS, the Tribal Council is authorized under Article VI, Section 4(b) of the Constitution to establish the level of compensation for each judge; provided that the compensation due to each individual judge shall not be diminished during the term of his/her appointment; and

WHEREAS, the Tribal Council finds that the proposed compensation structure does not diminish any individual judge's compensation; and

WHEREAS, the Tribal Council approved Resolution #06-0315-187, *Ratifying the Inclusion of Tribal Court Judicial Officers in the Life Insurance and Certain other Tribal Government Employee Benefits*; and

WHEREAS, the Tribal Council approved Resolution #09-0415-98; which continued the compensation for Tribal Court Judges; and

WHEREAS, the Tribal Council approved Resolution #11-0420-1333, which continued the compensation for Tribal Court Judges; and

WHEREAS, the Tribal Council approved Resolution #13-0501-094, which continued the compensation for Tribal Court Judges; and

WHEREAS, the Tribal Council approved Resolution #14-0903-276, which made modification to the compensation for Tribal Court Judges; and

WHEREAS, 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* were rescinded and replaced with Resolution #17-0517-174; and

WHEREAS, the Tribal Council approved Resolution #15-0415-116, which authorized and made modification to the compensation for Tribal Court Judges; and

WHEREAS, the Tribal Council approved Resolution #16-0210-041, which amended the compensation for Tribal Court Judges; and

WHEREAS, the Tribal Council approved Resolution #17-0517-174, which continued the compensation for Tribal Court Judges.

NOW THEREFORE IT IS RESOLVED, that the Tribal Council of the Little River Band of Ottawa Indians hereby amends the compensation of the Tribal Court Judges 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 at the salary of \$60,000 a year.
 - b. Associate Judge. The Associate Judge shall be compensated at a salary of \$50,000 a year.

- c. Appellate Justices. The Appellate justices who are licensed attorneys shall be compensated at the salary of \$25,000 a year. Appellate justices who are not licensed attorneys shall be compensated at the salary of \$15,000 a year.
2. *COLA*. Cost of Living Adjustments shall not apply to jurists' salary.
3. *Benefits*. Jurists shall be eligible for health, dental, vision or life insurance offered by the Tribe to its employees as job-based benefits with the following calculation for employee contribution:
 - a. Chief Judge. The Chief Judge's calculation will be based on 1.0 FTE, resulting in no required employee contribution.
 - b. Associate Judge. The Associate Judge's calculation will be based on 0.5 FTE, resulting in prorated required employee contribution.
 - c. Appellate Justices. The Appellate justices' calculation will be based on 0.25 FTE, resulting in prorated required employee contribution.

IT IS FURTHER RESOLVED, that the jurists travel shall follow the Tribal Government's travel policies.

CERTIFICATION OF ADOPTION

I do hereby certify that the foregoing resolution was duly presented and adopted by the Tribal Council with 9 FOR, 0 AGAINST, 0 ABSTAINING, and 0 ABSENT at a Regular Session of the Little River Band of Ottawa Indians Tribal Council held on May 22, 2019, at the Little River Band's Government Center in Manistee, Michigan, with a quorum being present for such vote.



Sandra Lewis, Tribal Council Recorder



Joseph Riley II, Tribal Council Speaker

Attest:

Distribution: Tribal Council
Tribal Court